

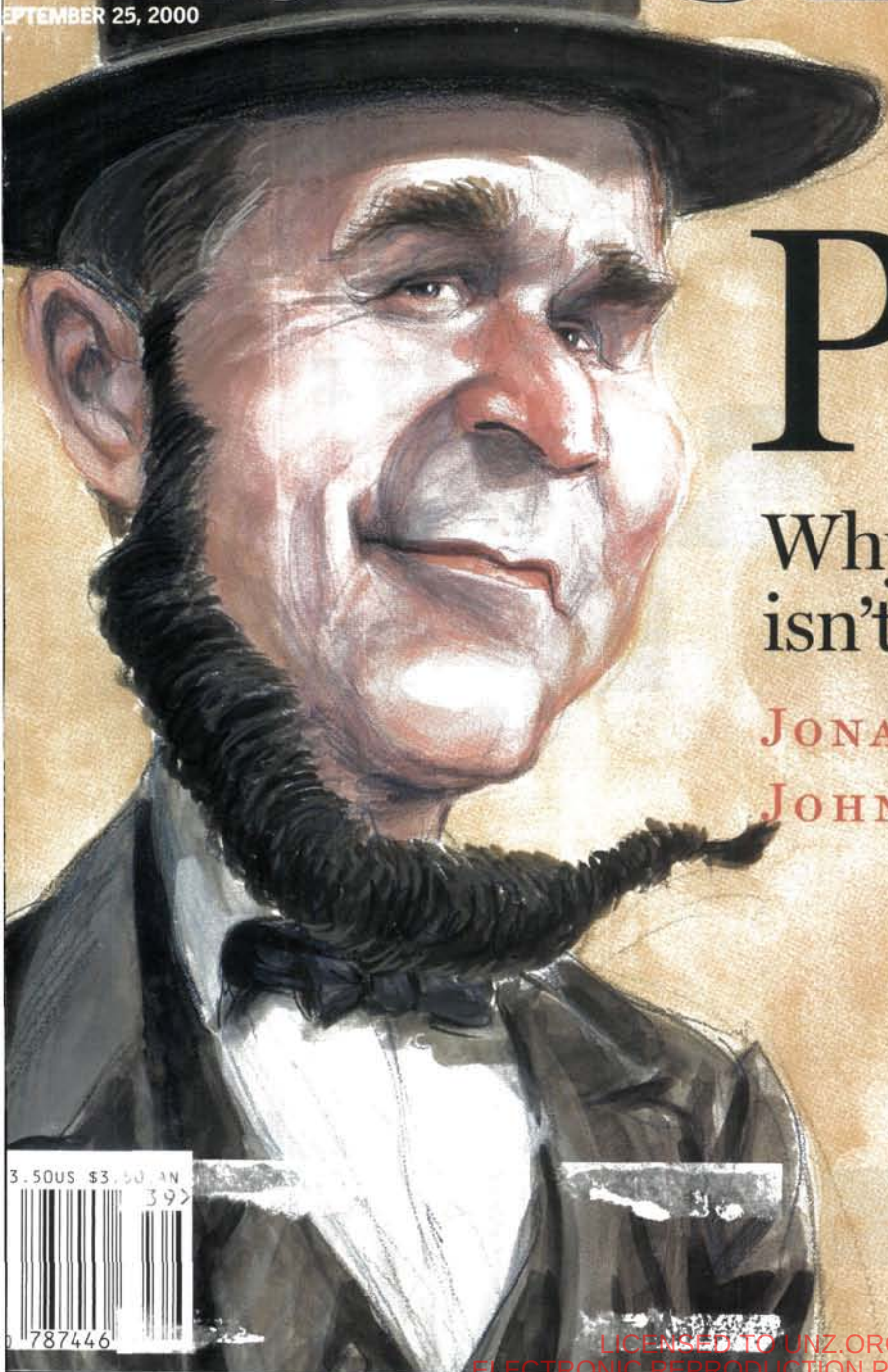
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SEPTEMBER 25, 2000



Poser

Why George W.
isn't a moderate

JONATHAN CHAIT

JOHN B. JUDIS



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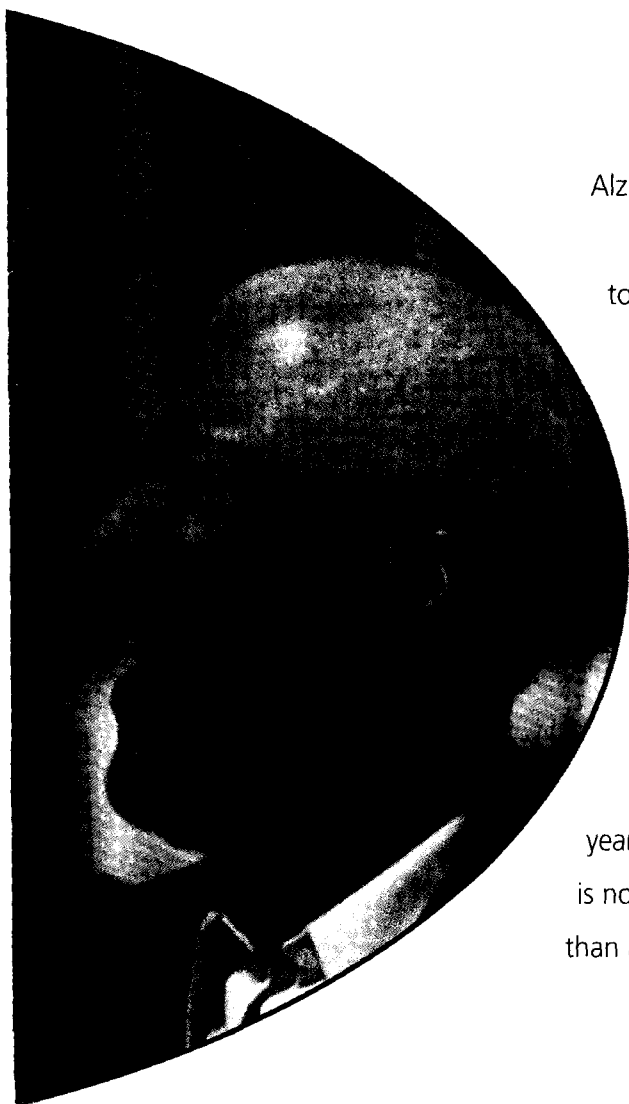
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Andrew Sullivan

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Something about Mary

TO THE EDITORS:

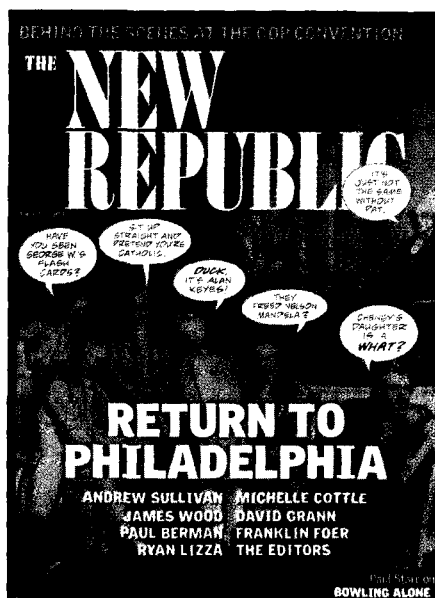
I read with humor Andrew Sullivan's article about the effect of Mary Cheney's lesbianism on her father's political career ("Parental Discretion," August 14). I was particularly stunned by this remark: "When you enter public life at this level ... matters that have remained common knowledge but have rarely been discussed demand a response on a national stage."

To this I'm compelled to ask, "Since when?" Two years ago, Bill Clinton was embroiled in the Monica Lewinsky scandal. While the cause of his trouble was his specious behavior in the courts, the press incessantly told us the scandal was about his consensual affair with Lewinsky. This would always be followed with the mantra, "This is a personal matter that does not affect his job performance."

BRAD SLAGER
Fort Lauderdale, Florida

TO THE EDITORS:

Dick Cheney's daughter is a grown woman who has made certain personal choices with regard to her sexuality. I am sure that



Cheney loves his daughter and wants her to have a safe, prosperous, and happy life. Her lesbianism probably does not change his views on homosexuality, and I am sure it has been difficult and painful for him to accept. But the man seems to be a loving, caring father.

Some people simply believe that homosexuality is a sin and that America has

become an increasingly amoral, godless country. Does Cheney feel this way? Perhaps. But he can still love his child.

JAMES HACKER
Via the Internet

TO THE EDITORS:

Kudos to Andrew Sullivan for his insightful commentary on Dick Cheney's unavoidable day of reckoning. The media's inept response to Mary Cheney's lesbianism is a mirror of America's inability to thoughtfully frame an issue of national significance. As a lapsed Democrat and the lesbian daughter of proud but conflicted parents, I am salivating at the prospect of Republicans doing our "dirty work."

JANA PANARITES
Via the Internet

Advise and consent

TO THE EDITORS:

In his August 14 piece ("Tie Game") on the significance of a 1998 appellate court ruling in the Microsoft antitrust case, Lawrence Lessig is surely right that he is the best judge of what he meant in his earlier comments on the ruling. But the rest of his analysis is on less solid ground.

The 1998 decision resolved an argument over the meaning of a contract—in legal parlance, a consent decree—signed by Microsoft and the Justice Department in 1994. Justice had agreed to drop its pending antitrust case in return for, among other things, Microsoft's agreement not to "tie" software applications to its operating systems for PCs. But that consent decree included an explicit exception for software bundles that constituted "integrated products." The appellate court decided that bundling an Internet browser with Windows 95 was consistent with the exception in the decree. It thus lifted the injunction issued by Judge Thomas Penfield Jackson.

Now, in the current antitrust case against Microsoft, Jackson has ruled that Microsoft violated the Sherman Act and should be divided into two companies. Lessig says the judicial review of Jackson's new ruling is not affected by the 1998 decision because the appellate court merely settled a contract dispute and did not tackle the issues of law in the antitrust case.

Lessig is right that the 1998 decision did interpret the consent decree. But the limitations on software bundling can be understood only in the context of alleged antitrust violations—the whole point was to make Microsoft stop practices that the Justice Department viewed as illegal. And the 1998 appellate decision, with

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its repeated references to the case law that defines illegal "tying," interpreted the consent decree in a manner the judges expressly said was consistent with antitrust law.

One can argue that Jackson was not technically bound by the appellate court's interpretation of the Sherman Act, but there's no doubt about where the appellate judges stand. They strongly believe that antitrust law limits the courts' discretion to second-guess product design—in this case, what features should be included in Windows. Relying on antitrust decisions, they declared that "the courts have recognized the limits of their institutional competence and have on that ground rejected theories of technological tying."

Reasonable people may disagree about what the law should be, about what other decisions say, or about the best appeals process for this case from the perspective of public policy. But it is obvious that the Justice Department and Jackson are eager to bypass the appellate court because they expect it will be unsympathetic to the district court's decision and remedy. And it is equally obvious that they came to this view by the appellate court's 1998 decision to have a broader meaning than mere interpretation of the "contract" between Justice and Microsoft.

RONALD A. CASS
Dean

Boston University School of Law
Boston, Massachusetts

LAWRENCE LESSIG REPLIES:

Ronald A. Cass does not argue—as Microsoft has—that Judge Thomas Penfield Jackson was "bound by the appellate court's interpretation of the Sherman Act." He instead tells us about what the judges "no doubt ... believe." But what judges "believe" is not the law; the authority of their cases is. Microsoft has argued that Jackson erred by not following the law set down by the appellate judges—not that he erred by ignoring their beliefs.

New Republican

TO THE EDITORS:

In "Makeover" (August 7), Benjamin Soskis calls Philadelphia Mayor Frank Rizzo a "Republican tough." Like some other native Philadelphians, Soskis has repressed an embarrassing memory: Rizzo was a product of the local Democratic Party, which revered him. Yes, Rizzo tried to recapture the mayor's office in 1983 as a Republican, but his only political triumphs were realized on the Democratic ticket.

MICHAEL KERPER
Via the Internet

History as protest

TO THE EDITORS:

Paul Berman, arguing that the angry, disruptive convention protest originated in 1968, ignores the significant convention protests that took place many years before ("Double Pierce," August 14). The women's suffragists protested in 1916 in St. Louis. The 1948 conventions were full of protesters, including the Dixiecrats, who stormed out of the hall. There were protests by activists in 1960 at both the GOP and Democratic conventions urging the enforcement of desegregation mea-

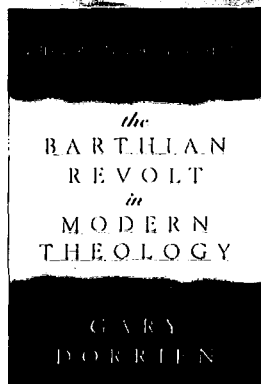
sures and stronger civil rights bills. And then in 1964 the Mississippi Freedom Democratic Party delegates and their supporters protested inside and outside the convention hall in Atlantic City when they learned mainstream Democrats would not recognize the reality of white supremacy in the South.

This history ought not to be ignored—by those of us writing about the conventions, by those of us bored by them, by those of us attending them, or by those of us protesting them.

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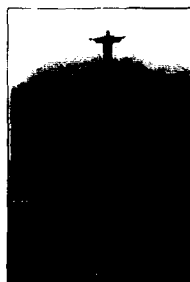
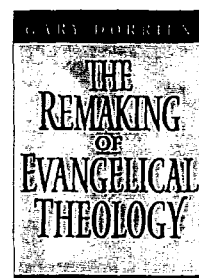
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FROM WASHINGTON

Back to The Future

COULD SOMEONE PLEASE remind me what a New Democrat is?

For the last 15 years or so, as the Democrats tried to remake themselves into a governing party, the formula was relatively simple. New Democrats eschewed "tax and spend." They preferred the doctrine of "save and invest" and balanced budgets. They rejected the identity politics of the left, seeing interest-group bickering as a key reason they'd lost the support of the middle class. They were interventionist in foreign policy, free traders, abortion moderates—remember "safe, legal, and rare"?—and skeptical of one-size-fits-all government solutions to social problems. They were troubled by affirmative action and intrigued by school vouchers. They pioneered welfare reform and tax simplification and worked closely with the private sector to expand access to health care. One of them even went so far as to declare that "the era of big government is over."

I think we can safely say that this breed of Democrat is now very much in intensive care, and that, of all people, Al Gore is responsible. In some ways, the real New Democrat in the current race—the man who supports modest private-sector-based health care reform and school vouchers for poor inner-city kids—is George W. Bush. He is the only candidate to address—if not solve—the problem of Social Security solvency and the only one to suggest education reforms that might rile the teachers' unions. He is the only candidate arguing that free trade should be expanded, not retrenched. His racial politics are inclusive but carefully distant from the tribunes of the various ethnic interest groups.

Compare all that to the new Al Gore. Not so long ago, Gore was an advocate of "reinventing government," subjecting existing bureaucracies to rigorous examination. He was an abortion moderate who had once been vaguely pro-life. He had resisted, particularly in his 1988 pres-

idential bid, the racial posturing that had discredited Democrats among white working families. He was a fervent free trader and welfare reformer.

So what on earth happened? Gore's acceptance speech could easily have been given by Ted Kennedy or Paul Wellstone. His campaign has stuck to the speech's message. Avert the coming Social Security crisis by reforming the system now? Nope. School vouchers to help raise the test scores of young black students? No way. Reform of affirmative action, even federal racial set-asides? Nah. Free trade? Barely a mention. Tax simplification? You must be kidding. Abortion? Anytime, anywhere, for any reason. Hate-crimes law? Special rights for everyone but Republicans. Health care? The government has a big, juicy plan.

Fiscal discipline? On paper, yes. In reality, no. The scariest thing yet from the Gore campaign was the fat, nearly 200-page economic program unveiled last week. It promised the stars, moon, and sun (and several minor planets). Reading its prose brought to mind Ira Magaziner's out-box. "After-tax income would grow by one-third over the next decade" if Al Gore's tax schemes were implemented, the text elaborates confidently at one point. It would also halve the pay gap between men and women, reduce the poverty rate to 10 percent, increase college attendance to 75 percent by 2010, and deliver a bumper grain harvest in Ukraine in 2004. The plan proposes little restraint in discretionary spending; no reform of Social Security; a "Retirement Savings Plus" proposal that, if all those eligible signed on, could cost around \$100 billion *per year*; and an almost comic array of micro-tax breaks that further clog an already impenetrable tax code and keep taxes high for everyone not favored by Gore's social engineering. If you're single and childless, you might as well hand Gore your wallet now.

The pièce de résistance is Gore's signature proposal. For this he picked the wealthiest and fastest-growing segment of the population—the elderly—and offered it a new federal entitlement for a product (prescription drugs) that is set to skyrocket in price in the near and distant future. Gore claims his Medicare expansion would cost \$253 billion over ten years (the precision of the numbers is part of the comedy). A more realistic guess, if drug prices continue to increase and technology continues to flourish, would be closer to \$400 billion over ten years—and after that a trend line that rises almost vertically when the boomers all decamp to Florida. Who'll pay? In all likelihood, the very "working families" Gore is claiming to help.

Yes, yes, George W. is no better. His tax cut is too large and too soon. He blew his chance to paint Gore as a big-spending liberal by devoting the surplus to tax giveaways rather than debt abolition (which would function as a general tax cut anyway through its effect on interest rates). Bush's Social Security reform has one big hole—he doesn't explain what he'll do if people's private investments tank. But at least Bush has mentioned Social Security reform. At least he has tried, on Medicare, not to weigh future taxpayers down with another money-guzzling entitlement. And the difference between irresponsible tax cuts and irresponsible new entitlements is that tax cuts are often reversed. Entitlements are forever.

When I raise these concerns with Gore supporters, they respond with essentially two answers. One is that Gore doesn't really mean it. His recent Shrummerly is just a device to jolt his political persona into something resembling human life. But all that means is that we're back to Bill Clinton, to a president whose public positions are mere instruments for gaining power—and liable to be changed at any moment. Alternatively, others assure me, this is the real Gore, a Southern populist avenging his father, a man steeped in the social science of a generation ago who has never seen a human problem he thought government—or his own brain—couldn't solve. My own hunch, for what it's worth, is that Gore is a complicated man when it comes to ideology but, like many privileged Southern liberals, is easily guilt-tripped by the left. Hence his delegation of racial policy to Maxine Waters and economic policy to Bob Shrum.

In this unexpectedly fascinating election we are, in fact, proving David Stockman right. We now know that the only hope of shrinking government was to bankrupt it—but, even then, it didn't work! After close to 20 years of huge deficits followed by fragile surpluses, we have come full circle. The government has hardly decreased in size; its tax take is at a record high as a percentage of GNP; within a generation our current entitlement commitments alone will sink us; and yet the leading "New Democrat" wants to give old-style liberalism one more wad of blank checks, easy abortions, and racial preferences. For those who loathed Reaganism, this is surely sweet victory. But for those Democrats who felt they had learned something from the party's collapse in the 1970s, this is surely dismaying. And nothing is more dismaying than that the crusader for the new leftism is one Albert Gore Jr.

ANDREW SULLIVAN



The same way my father made it.

The same way his father made it.

The same way his father made it.

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Judgment Day

AS WE WRITE, the case against Wen Ho Lee has collapsed. The government has released the once-alleged spy and is dropping 58 of the 59 charges against him in exchange for his acknowledgment that

he illegally downloaded nuclear secrets. Implicitly or explicitly, the FBI has revealed that its agents falsely told Lee he failed a lie-detector test, misrepresented Lee's meetings with Chinese scientists, falsely suggested he had downloaded the "crown jewels" of the American nuclear program, and misrepresented his motives for downloading the disputed files. Increasingly, the question is shifting from Lee's conduct to his pursuers'. Who will hold the government responsible for keeping Lee in solitary confinement for nine months on the basis of misleading testimony?

The answer, we believe, lies in the hands of Judge James A. Parker, the federal district judge in Albuquerque who has thus far handled the case with scrupulous fairness. Parker should investigate whether the FBI knowingly misled his court and whether it delayed correction of the false testimony once it learned of its errors. If so, Parker should consider holding the FBI agents and complicit prosecutors in contempt of court.

When criminal and civil defendants testify in ways that are misleading—even if not technically perjurious—they are sometimes held in contempt. We think it was appropriate, for example, that Judge Susan Webber Wright imposed contempt penalties on President Clinton for his hairsplitting definition of "sexual relations" in the Paula Jones case. Prosecutors and law enforcement officials, by contrast, are seldom held to the same standard: if they offer misleading testimony, they may botch a case, but rarely are they held personally accountable by the court. If anything, however, they should be held to a higher standard than are criminal and civil defendants. Not only do they lack the most compelling motive to deceive the court (the avoidance of a prison sentence), but, as sworn representatives of the state, it is clearly their duty to uphold the law—even if that means losing the case.

The Lee case is hardly the only recent high-profile example of government agents' providing false testimony. The Los Angeles Police Department was recently evaluated by an independent review for just such lapses: more than 100 convictions have already been overturned in the face of allega-

tions that the LAPD's anti-gang officers lied under oath, wrote false reports, and planted evidence. But federal officers, with their vastly greater prosecutorial resources, should be held to an even higher standard of scrupulousness, which is why the false testimony in the Lee case is more troubling still.

One might hope the Justice Department could police its own agents through the Office of the Inspector General or some other internal reviewing body. Alas, experience shows that such investigations are

rarely vigorous enough to inspire public confidence. One option in highly politicized cases is for the attorney general to appoint a special counsel, the most independent form of executive-branch prosecutor that remains since the welcome lapse of the independent counsel statute. Former Senator John Danforth, the special counsel in the Waco investigation, is reportedly considering indicting three of the government's Waco prosecutors on the grounds that they withheld relevant evidence from investigators after helping send the Branch Davidians to prison. But in a case like Lee's (or Clinton's), where the possibility of false testimony comes to light before the trial has concluded, a far better option is careful oversight by the presiding judge.

Of course, judicial oversight of misleading (as opposed to perjurious) government testimony can always be abused. As David Grann reported in these pages, Judge Norma Holloway Johnson showed unbecoming zeal when she decided to investigate Charles Bakaly, the former spokesman for independent counsel Kenneth Starr, for criminal contempt on charges that he may have misled the court about his contacts with *The New York Times* (see "Background Noise," June 28, 1999). There is always a danger, when judges try to police prosecutors, that they will become too aggressive and choose to flex their muscles by investigating relatively harmless mistakes. But a case like Lee's, pursued so furiously for such a long time, raises the possibility of grave governmental abuse.

Over the next few months, we imagine, Congress will hold hearings, the attorney general will investigate charges of government racism, and Lee will have his day in the court of public opinion. As more facts emerge, the government's conduct may look better than it does today. But right now it looks awful. And, in the meantime, Parker should ensure that the government didn't knowingly mislead him. Only with vigorous oversight of prosecutorial abuse can judges vindicate the motto chiseled on the Justice Department building: "THE UNITED STATES WINS ITS POINT WHEN JUSTICE IS DONE ITS CITIZENS IN THE COURTS." ■

LONESOME DOVE: It comes as no surprise that the hawks of the Likud and the ultra-Orthodox of Shas ferociously oppose Ehud Barak's magnanimous (or, if you prefer, crazy) proposal to share sovereignty with the Palestinians in Jerusalem. But Shimon Peres and Leah Rabin? If Barak cannot sell his deal to the high priest and the high priestess of Israeli dovishness, he cannot sell it to anybody; but last week those very dovish eminences turned on his plan. Peres declared that Arafat was demanding too much, and by implication that Barak was conceding too much. Leah Rabin was not content merely to imply. "Yitzhak is certainly turning in his grave," she told *Yediot Aharonot*. "Yitzhak would never have agreed to compromise on the Old City and the Temple Mount, because for him Jerusalem was sacred from a strictly national and historic point of view." And more: "I must admit that I am very disappointed in Barak. He has not shown himself to be the true heir of my husband." (But Peres, by contrast, was "following the path." Yitzhak is probably turning in his grave about that notion, too.) There is something faintly comic about Leah Rabin's bold stand. The only basis for her doubt about Barak's plan appears to be its divergence from the cult that she has established (with the help of others) around the memory of her husband. The religion of Rabin has been one of the strangest phenomena of Israeli political culture in recent years. Apparently the godless need saints, too. It is certainly not in the spirit of the man himself. He would have opposed the division of Jerusalem as sharply as he would have opposed the worship of himself.

JULIEN SOREL IN 2000: "The great disadvantage to the reign of public opinion . . .," Stendhal wrote at the end of *The Red and the Black*, "is that it meddles in matters where it does not belong." A similar thought must have run through Al Gore's mind last week as Oprah Winfrey asked him a series of personal questions. When she inquired about his favorite book, he made a fine crack about his political obligation to name the Bible, and then said, "*The Red and the Black*." It is hard to see what Julien Sorel, and his creator's dour irony and vicious worldliness, could mean to a decent, sentimental meliorist such as Gore; but it was heartening to hear the invocation of a serious book and a serious writer roll off the tongue of a presidential candidate. Even if Gore is posturing, he is posturing in the right direction. But what if he is posturing to no point? A day later, *The New York Times* explained to its readers that Gore's favorite novel was the work of "nineteenth-century French novelist Robert Stendahl." And a day after that, the paper apologized for giving "a misspelled pen name and a nonexistent given name" for the great realist. And on the very day that *The New York Times* finally got it right, *The Washington Post* got it wrong, in a little tutorial on "Stendahl." But the situation will soon improve. We have just learned that Oprah's Book Club selection for next month is *The Life of Henry Brulard*.

SEXUAL DISORIENTATION: The Republican contortions on gay issues continued last week with two classic pieces

of illogic. Vice presidential nominee Dick Cheney was asked in Vermont what he thought of that state's civil-union law for gay couples, which grants them all the benefits of marriage without using the m-word. Cheney's response: "I'm a great believer that these are private matters for people to pursue themselves." Huh? Marriage is a civil matter. Gay couples are already permitted informal relationships—as long as they don't expect legal recognition from the state. Cheney tried to clear things up: "My own personal view is that people ought to have the right to enter into any kind of relationship they want to enter into. With respect to how that's effectively regulated by the state, those are state decisions. Different states are likely to make different decisions based on the wishes and desires of the people of the state, and that's perfectly acceptable." Vermont's civil unions perfectly acceptable? That's quite a statement from the Republican veep nominee, whose own lesbian daughter is in a committed relationship. But how does it square with his running mate's support for the Defense of Marriage Act, which essentially voids Vermont's decision? No word from Cheney, whose office wouldn't return *TNR*'s calls requesting comment. Just as weird was the House Republican leadership's eagerness for a vote on federal support for the Boy Scouts. The GOP leadership was shocked—shocked!—that the feds might object to sponsoring a group that practices discrimination against openly gay scouts and scoutmasters (closet cases and liars are still welcome as "morally straight" role models). But the GOP can't have it both ways. The Boy Scouts rightly argued that, as a private group, they have the right to discriminate. But that means they can't turn around and demand that taxpayers (including gay ones) help finance and sponsor them. The Boy Scouts want all the privileges of private and public institutions. Conservatives who care about the liberties of private organizations should be the first to remind them that, ultimately, they have to choose. The Boy Scouts can be private bigots or public citizens—but not both at once.

SOAK THE POOR: Every so often, *The Wall Street Journal*'s editorial page takes a delightful detour from workaday conservative cant into sheer right-wing depravity. Such a moment occurred late last month, when the *Journal* proposed to alter the tax system so that "high-income people face marginal tax rates as low as 5 percent and lower-income people face rates as high as 51 percent." That's right: It's not enough, as the *Journal* has suggested before, to replace the progressive income tax with a flat tax. Rich people should actually pay vastly lower rates than the poor and the middle class. The editorial cites as the basis for this astonishing argument a study by economists Jonathan Gruber of MIT and Emmanuel Saez of Harvard, which shows that wealthy people are more likely than poor people to change their taxable income in response to marginal tax rates. But the *Journal*, which praises the authors as "worthies" and the study as "a giant step forward" (because, presumably, it confirms the supply-siders' most gruesome class prejudices), completely mangles Gruber and Saez's conclusions. The *Journal* inter-

pretends the study as proof that wealthy people are more likely to respond to low tax rates by “working harder.” But the study explicitly shows this is not the case. Low taxes may prompt the rich to report higher incomes, but that’s because, when faced with high taxes, they are more likely to take advantage of tax loopholes. The obvious solution, the authors explain, is not to eliminate the progressivity of the tax code but to close all the loopholes that let upper-income individuals avoid taxes. Strangely, the *Journal* doesn’t mention that part.

OUT OF THE BLUE: Central to the Bush-Cheney complaint about the Clinton administration’s management of the Defense Department is the assertion that enlistment has plummeted. In his speech on this issue to the Veterans of Foreign Wars last month, Bush said, “The Navy entered this new century with a shortage of nearly 10,000 enlisted personnel at sea ... [a]nd the Air Force missed its recruiting goals for the first time since 1979.” There’s no disputing that the Navy has personnel shortages. But at virtually the same time as Bush was reading his speech, the Air Force was

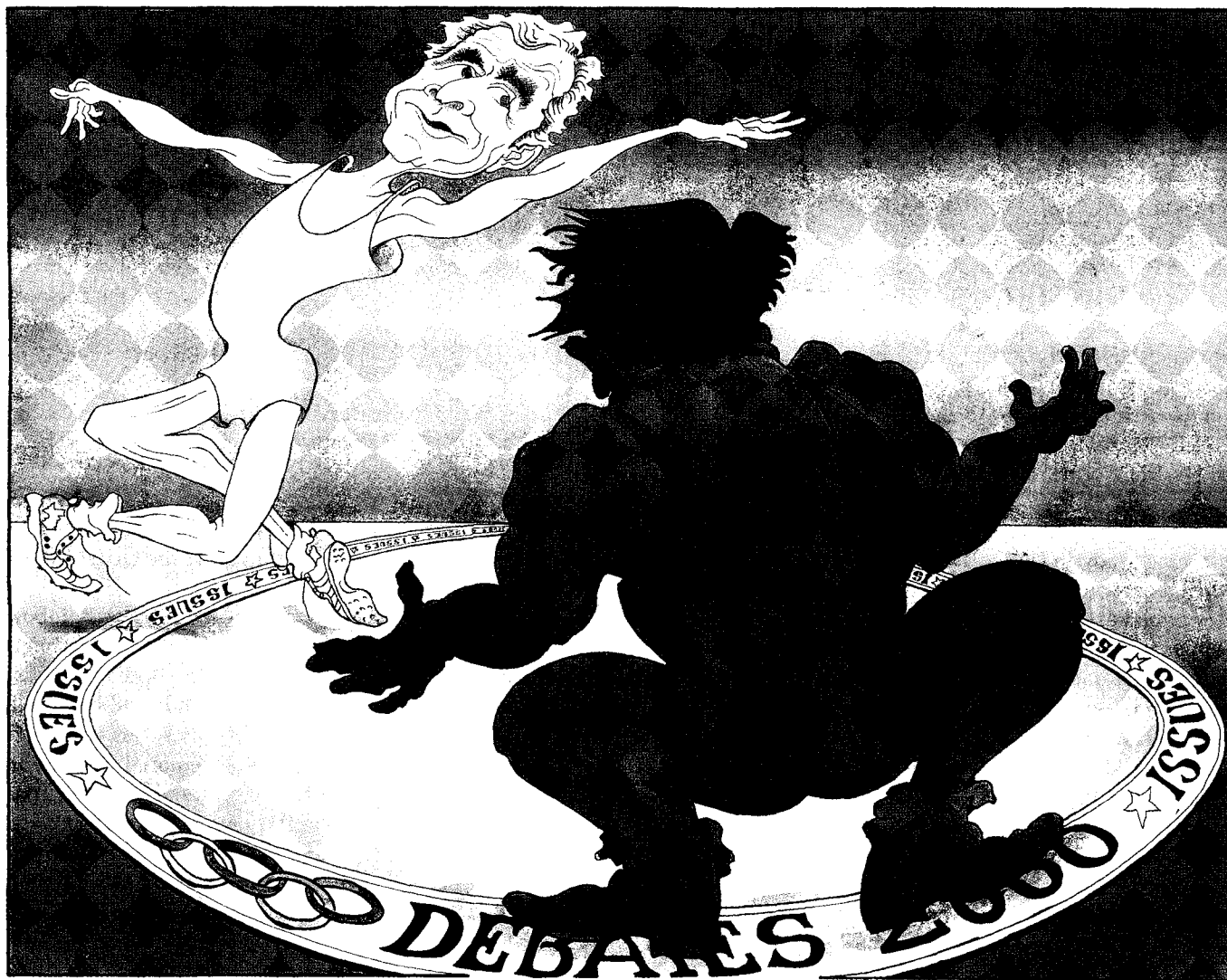
announcing it had exceeded its recruitment goal for fiscal year 2000 by signing 34,000 Americans to enlistment contracts. It fell short in 1999, and now it’s corrected its past mistake. Will Bush and Cheney do the same?

OR MAYBE IN SYRIA: “And if by chance you have a son or daughter who has a chance to be president of the U.S.A., ask yourself, ‘Might this really come true? Only in America!’” —Rule 10 of George Bush’s “10 Rules For Former Presidents,” in the Fall 2000 issue of *Forbes FYI*

TALMUDIC SCHOLARS WATCH CONT’D: “Joe, you see that woman over there? She’s Jewish, you’re Jewish, we’re Catholic. But I say no purgatory for her. Straight to heaven.”—Senator Joe Biden, speaking to Joe Lieberman at a campaign rally in Claymont, Delaware, August 25

HOME NEWS: We are extremely pleased to announce that with his column this week, Senior Editor Andrew Sullivan takes over as TRB. ■

V I N T ’ S W E E K



Anatomy of an eyesore. Monumental Error

By JOSEPH FISHKIN

NEVER HAS THE phrase “Everyone’s a critic” been truer. It’s hard to find anyone without a damning word about the proposed National World War II Memorial—a mishmash of columns, eagles, wreaths, and giant triumphal arches slated for a prominent site on the National Mall, between the Washington Monument and the Lincoln Memorial. “This just seems so uninspired,” says eminent Yale architecture scholar Vincent Scully. Richard Longstreth, vice president of the Society of Architectural Historians, deems it “among the very worst proposals ever made.” Even former New York Governor Hugh Carey, who as vice chairman of the American Battle Monuments Commission (ABMC) pushed hard for the creation of a World War II memorial, admits that, when it comes to the design, “something’s missing.” When I asked Bob Dole, who’s leading the memorial’s \$100 million fund-raising campaign, what he thought, he artfully demurred, saying, “Look, I’m not the architect. I’m just the money raiser.”

And yet come November, barring unforeseen developments, the World War II Memorial will break ground, and a design that hardly anyone seems to like will plop down smack in the middle of the Mall. How come? The memorial is a case study in design by procurement—what happens when a convoluted, ultracautious bureaucratic process creates public art. It’s also a cautionary example of what can happen when one man—in this case J. Carter Brown, chairman of the Commission of Fine Arts—wields enough power in that process to ram through his own grandiose vision at the expense of common sense.

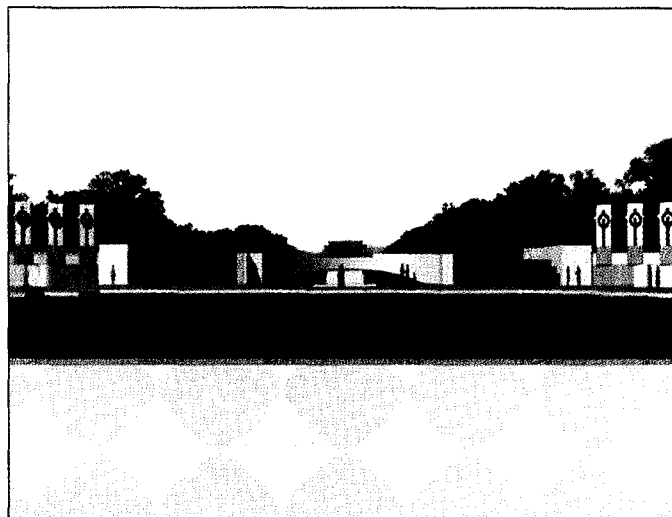
The World War II Memorial was flawed practically from its inception. In 1993 Congress, riding the wave of nostalgia that later produced *The Greatest Generation* and *Saving Private Ryan*, authorized the memorial’s creation. But rather than form a new commission to oversee the effort—as Congress did in 1980 for the Vietnam Veterans Memorial and in

1986 for the Korean War Veterans Memorial—the authorization bill, written by Ohio Representative Marcy Kaptur, gave the job to the ABMC. The ABMC, which has been around since 1923, had experience building cemeteries for America’s war dead, and Kaptur hoped it would bring the project “proper federal oversight and accountability of funds.” Unfortunately, it also brought its own (rather funereal) aesthetic sense and inexperience in creating public art.

The ABMC’s first task was to find a site. Working with the National Park Service, the National Capitol Planning Commission (NCP), and the Commission of Fine Arts—all of which would have to approve the memorial’s location and design—the commission came up with six potential sites. In May 1995, the ABMC settled on one: Constitution Gardens, an area on the Mall just east of the Vietnam Veterans Memorial. But after the NCP gave the ABMC’s preferred site its blessing, the Commission of Fine Arts—at the behest of Brown, its chairman since 1976—balked. Brown said it was “unacceptable” to “tuck [the memorial] away in the woods.”

Instead, Brown pushed a more radical idea, a site that wasn’t even among the six possibilities: the Rainbow Pool, just 125 feet south of Constitution Gardens—but, crucially,

right on the Mall’s central axis. Brown had taken forceful stands before, most famously in 1982, when some irate veterans and politicians wanted to stick a flag and a statue on top of the haunting, abstract Vietnam Veterans Memorial. Back then, Brown helped broker the crucial compromise—the statue and flag, but at a discreet distance—that preserved the memorial’s integrity. This time, though, Brown’s choice contradicted the architectural



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consensus, leading many to surmise that, after so many years of running the commission, Brown may simply have been entranced by the chance to alter the center of the Mall. “This becomes part of his own legacy,” says Roger Lewis, longtime architecture critic at *The Washington Post*. “This is something for him that he can point to ... the Carter Brown contribution.”

The Commission of Fine Arts approved Brown’s Rainbow Pool site. “Brown ... makes the decisions,” said one Washington architect. “[He] is completely in charge of that commission.” Only a few hours later, the NCP endorsed it as well. According to some of the memorial’s critics, this swift shift meant that crucial assessments of the memorial’s impact on the site—assessments of historical, cultural, and environmental impact conducted on the ABMC’s original six locations—were skipped. A group called the National Coalition to Save Our Mall is now threatening to sue the Commission of Fine Arts, the NCP, and the Park Service for moving ahead without those assessments. The Advisory Council on Historic Preservation, an independent federal agency, also criti-

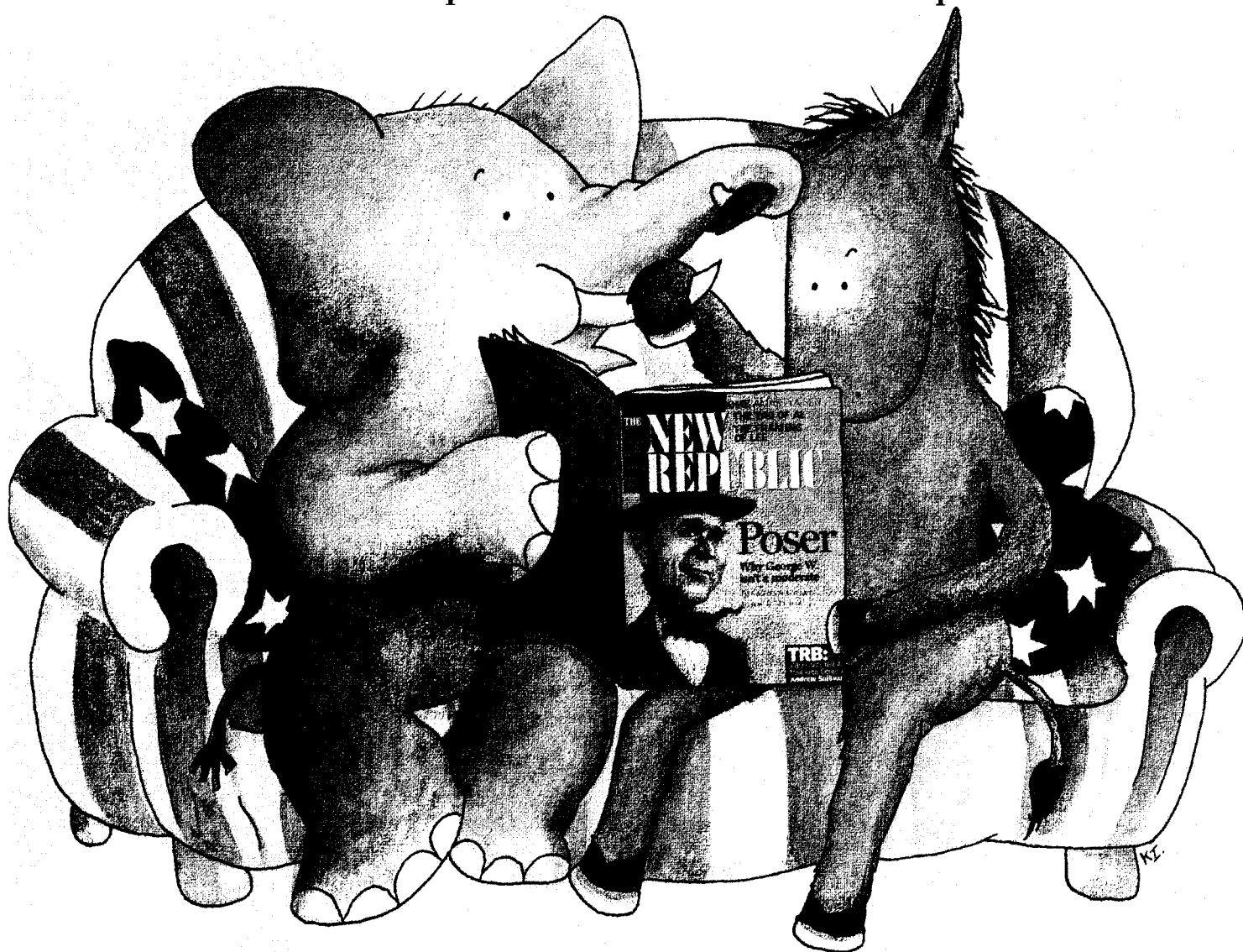
JOSEPH FISHKIN is a former TNR reporter-researcher.

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cized the site-selection process when it voiced its opposition to the memorial proposal in a September 5 letter to Interior Secretary Bruce Babbitt. At the time, though, Brown's move attracted little comment. As F. Haydn Williams, head of the ABMC's memorial effort, put it, "The site was approved before [the public] knew what hit them."

With a location chosen, the ABMC went about selecting a design that satisfied its desire for a major memorial and a 70,000-square-foot-plus indoor museum and auditorium. But instead of holding the kind of open competition that might have yielded a visionary design—like the contest that in 1981 led to the selection of then-unknown Yale architecture student Maya Lin's design for the Vietnam Veterans Memorial—the ABMC took a more conservative route. It brought in bureaucrats from the General Services Administration to run a closed competition in which big firms literally submitted their resumés first and their designs second. Although a protest eventually convinced the ABMC to briefly open up the competition, the commission retained veto power in case it didn't like the competition jury's choice. The jury got the message, picking a design by Rhode Island architect Friedrich St. Florian that the ABMC loved.

ALAS, THE MERITS of St. Florian's design—which would dig out a football-field-size area around the Rainbow Pool and erect 50 thick pillars with their tops cut off, plus huge slanted earthen berms to house the museum and theater—were lost on everyone but the ABMC. Senators Bob Kerrey of Nebraska and Strom Thurmond of South Carolina blasted "the apparent lack of foresight that accompanied the selection of the Rainbow Pool site" and "the inappropriateness of St. Florian's design." Many critics, including Deborah Dietsch, then editor of *Architecture* magazine, compared St. Florian's design to the work of Nazi architect Albert Speer. Even Brown's Commission of Fine Arts—along with the NCPG—rejected the design, with Brown himself conceding that it was "overbuilt." The ABMC subsequently dropped its request for a museum on the site.

But rather than throwing out St. Florian's design and starting over with a new competition, the ABMC, backed by Brown, decided to work with the architect to come up with something more suitable—essentially, design by committee. After all, Brown argued, the original contest had selected "the designer, not the design." So St. Florian flew at the ABMC's expense to study the commission's other projects, the American war cemeteries of Europe, for inspiration.

He came back in 1998 with a chastened, smaller plan: no berms, and little shields where the columns used to be. The only additions were two 41-foot-high triumphal arches. Although the new design satisfied Kerrey and some other critics, the Commission of Fine Arts wasn't as impressed, and it asked St. Florian for another round of changes. In 1999 the architect scrapped the shields and brought back the pillars—smaller this time, with holes through the middle to avoid totally obliterating the views of the Washington Monument and the Lincoln Memorial.

On July 19, the commission held a contentious seven-hour public hearing on the third and "final" design. While numer-

ous critics pilloried the site, the design, and the entire process, the memorial's supporters mostly argued that it was important to build *something*—some seven years after Congress approved the memorial—before any more World War II veterans died. Brown, for his part, attacked his detractors. "If triumphal arches and victory wreaths don't give you the sense that we won the war," he said, "I'm sorry." His commission agreed, voting unanimously to approve the new design, a design whose "brilliance" Brown has since praised.

But that seal of approval doesn't mean the tinkering is over. Even with preparations for the November ground-breaking under way, the Commission of Fine Arts is looking to add a major sculptural element (tentatively called the "flame of freedom") in the middle of the pool, to give the design the central focus and meaning it now lacks. Outwardly confident, the commission is privately worried enough to have taken the unusual step of secretly meeting with at least five sculptors to discuss what to stick at the memorial's center.

It's doubtful, though, that any more changes, short of scrapping St. Florian's entire design and starting over, will appease the memorial's many critics. "We've been cut out, shut out," says Judy Feldman, an American University art and architecture historian still working to halt the memorial's construction. "It's been treated just like another architecture approval project in Washington." Sadly, that alone may be enough to ruin public art. ■

Manila Dispatch Bad Erap

By JOSHUA KURLANTZICK

THERE'S TOUGH COMPETITION for the title of worst leader in the free world. In East Asia alone, you have Indonesian President Abdurrahman Wahid, who sometimes naps during parliament sessions, and Japanese Prime Minister Yoshiro Mori, guilty of so many gaffes that he brings cards with preprinted answers to press conferences. But every contest must have a winner, and recent events make it clear that Philippine President Joseph Estrada is the least competent democratically elected leader on earth.

When Estrada took power in 1998, his nation was among the best-situated in Southeast Asia, boasting key ingredients for success in the global economy. Because of the country's history as an American colony, more than two-thirds of the Philippines' urban population speaks at least conversational English. Manila's Asian Institute of Management rates among Asia's best MBA programs in *Asiaweek's* influential rankings. And, unlike Singapore, Indonesia, or Malaysia, the Philippines is a vibrant democracy with more than a decade of liberal government under its belt. Upon returning from a

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trip to Manila, one Bangkok-based CEO described the Philippines to me as “a fantastic country, just the place investors should jump into.”

But they aren't jumping. And, without a change in national leadership, it's unlikely they'll start. Since Estrada took power in 1998, the Muslim rebel groups Abu Sayyaf and the Moro Islamic Liberation Front (MILF) have stepped up their campaigns of terror, kidnapping dozens of locals and foreigners—including, on August 28, American Jeffrey Schilling. The economy has remained stagnant since the Asian crash, while Singapore, South Korea, and other states in the region have rebounded strongly. According to a secret World Bank report leaked to the press, graft is so prevalent that \$46 million annually is lost to corruption. And the capital? Urban blight, thy name is Manila. The city's traffic and smog make Los Angeles look bucolic, and Manila's massive Patyas garbage dump, which the government had vowed to clean up, collapsed in July, killing at least 124 residents.

AND OVER IT all presides Estrada, a former B-movie actor recently named “Best Reason to Doubt Democracy” by *Asiaweek*. Diplomats in the Philippines are hard-pressed to name one positive thing the president has accomplished. Discussions with local political commentators almost inevitably turn to Estrada jokes—jokes fueled by recent revelations by Estrada's chief of staff that the president sometimes makes policy decisions during late-night drinking binges.

Estrada has established himself as the worst of all worlds: a leader who, in the tradition of former dictator Ferdinand Marcos, believes all decisions should flow from him personally but who lacks the decisiveness, intelligence, or political cunning to carry out his pronouncements. Estrada simply swaggers around, announcing what he intends to do, ignoring ministers' advice, and trying to govern through executive decrees (he has issued more than 220 in two years) that he later ignores or reverses. Estrada—or “Erap,” as he is known to his (dwindling) population of friends and supporters—this year created an Economic Coordinating Council charged with resuscitating the economy. But he gave the council's technocrats little explicit authority and has consistently ignored their recommendation that the country move away from centralized, macroeconomic planning. The Philippines will post around 4 percent growth for 2000, an acceptable figure but far short of South Korea's at least 8 percent or Singapore's projected 8.5 percent. Meanwhile, unemployment is higher than it's been in more than a decade, and a mushrooming deficit may stall the release of the International Monetary Fund's next \$300 million loan installment.

While there is scant evidence the president has directed public funds toward his own enrichment, he has overlooked corruption among his friends and family. Christine Tan, a respected nun working with the poor, has charged the Estrada family with diverting charity funds to the president's son's pet projects, including an ambulance-distribution program run by the League of Municipalities, an organization of local business executives. (A Senate committee later cleared him of charges.) And Perfecto Yasay, chairman of the Securi-

ties and Exchange Commission, has alleged that Estrada tried to strong-arm him into clearing multimillionaire buddy Dante Tan (no relation to the nun) of stock-price-manipulation charges.

BUT NOWHERE HAVE Estrada's shortcomings been more glaring than in his negotiations with the Muslim insurgency on the southern islands of Mindanao and Jolo. In contrast to former President Fidel Ramos, who had tried to make peace, Estrada almost immediately vowed “all-out war” against the MILF and Abu Sayyaf, poisoning cease-fire negotiations and tying his hands politically. Despite Estrada's confident predictions, it's doubtful that his underequipped army can win the simmering conflict, which has cost roughly 120,000 lives since the 1970s. But Estrada's recent attempts to temper his hard-line stance have only made him look weaker still. After Defense Secretary Orlando Mercado repeatedly announced that the government would not negotiate with terrorists, Estrada (who had already gone through a handful of negotiators, meddling all the while) backed down in late August, allowing Libya to give Abu Sayyaf “development aid” in exchange for the release of some hostages. In addition to garnering Estrada international criticism, the agreement enriched the rebels, who have used their “development aid” to double the size of their arsenal. Armed to the teeth, Abu Sayyaf kidnapped more hostages from a Malaysian island on September 10.

The result of all this flip-flopping is that no one trusts anything Estrada says anymore. The Muslim rebels don't believe he'll keep his promises, so they fight when he pledges to crack down and take hostages when he vows not to pay ransoms. No one believes his pledges to ferret out graft, so the stock exchange slumps and corrupt soldiers sell weapons to the MILF. Manila's middle classes don't believe Estrada will address urban problems, so they organize massive anti-government demonstrations. The Church never much trusted the womanizing president (who reportedly has fathered at least twelve illegitimate children) but has become still more disillusioned following his accidental pardon of a convicted priest-killer. Even the Filipino poor who swept the charismatic, populist Estrada into office two years ago appear to have finally lost faith in their champion. The collapsing stock exchange might not affect them, but government corruption has robbed them of needed aid—the World Bank report estimated that only 10 percent of government development money reaches its intended recipients. Meanwhile, the war in the south, the nation's grain basket, has inflated the price of basic commodities. Even before the garbage-dump collapse, Estrada's approval ratings registered as low as 5 percent.

Of course, the Philippines' misery cannot be wholly blamed on its president. The Muslim insurgency has been raging for decades; the economy was already a mess when Estrada took office. But Estrada hasn't addressed these problems; he's exacerbated them. Should his party lose its majority in Congress in the 2001 midterm elections, the opposition might impeach him. That would probably damage the Philippines' reputation as a stable, well-functioning democracy. Then again, so might letting Estrada serve out his term. ■

Brooklyn Dispatch

Black vs. Black

By ELEANOR BROWN

BROOKLYN REPRESENTATIVE Major Owens hasn't just fought the good fight; he's rapped it. Known as "the rapping congressman," Owens has broken into spontaneous verse on the House floor to express his opinions on death-row inmates, impeachment, and public schools. Owens says he raps "as an outlet for political frustrations," and his frustrations are easy to understand. As Congress, and even his own party, has shifted right in recent years, Owens, an unreconstructed lefty who got his political start running former New York Mayor John Lindsay's anti-poverty program and in 1998 earned a perfect 100 rating from Americans for Democratic Action, has increasingly abandoned practical action for symbolic protest. He's demonstrated in support of higher wages for New York cleaners and this spring responded to the Amadou Diallo verdict by calling for "outrageous actions" throughout the city. Two years ago, when the *Daily News* asked Capitol Hill staffers which members of the New York delegation wielded the most clout, Owens finished last.

In a poor, largely black district where many residents themselves feel marginalized from mainstream politics and economics, Owens may represent his constituents. His problem is that those constituents are changing. The eleventh district, overwhelmingly African American when it first elected Owens in 1982, is now between 25 and 40 percent West Indian—perhaps even more. This year, that growing community threw up a challenger, Jamaican-born City Councilwoman Una Clarke, who charged, essentially, that while Owens's protest-oriented style may have suited the district once, it no longer does. And, while Owens last week beat Clarke in the Democratic primary 54 to 46 percent, he can't rest easy. Given that the number of West Indians in New York has dramatically increased in the last two decades and that many of them are represented by African American politicians, Clarke's challenge is probably a harbinger of things to come.

Conservatives sometimes overstate the ideological differences between African Americans and Caribbean Americans. Just as the largely working-class West Indian community does not represent the "black success story" often portrayed in the press, most West Indians, like most African Americans, are on the political left. Colin Powell may have Caribbean roots, but so do Louis Farrakhan and Stokely Carmichael. Abner Louima was from Haiti, and the small boy accidentally killed by a Hasidic driver, sparking the Crown Heights riot, was from Guyana.

But while West Indians generally agree with African

Americans on the issues, their experience as recent immigrants has fostered a radically different political style. Most African American politicians see themselves as heirs to the civil rights movement—ever-conscious that they owe their careers to a defiant public struggle for broad social change far from the corridors of power. West Indians generally take a shorter-term view. Often in the United States to earn a livelihood, with an eye to returning to the Caribbean to retire, they are apt to see American politics less as a grand clash between good and evil than as a way to negotiate the specific roadblocks that impair practical advancement.

Clarke's central critique of Owens was that he didn't get things done. Unlike Harlem Representative Charles Rangel, Clarke's supporters noted, Owens hasn't landed his district a federal empowerment zone. While admitting that Owens has spoken passionately about the discrepancy between the treatment of Elián González and the treatment of refugees from Haiti, Clarke charged that when constituents contacted the congressman's office seeking assistance with their practical immigration problems, his staff often referred them to hers. Even *The New York Times*' editorial page, in endorsing the congressman for reelection, noted that "Mr. Owens has not kept up with constituent services."

Owens responded, in part, by trying to link Clarke to New York Mayor Rudolph Giuliani, a deeply unpopular figure among black New Yorkers of all ethnic backgrounds. Owens noted that while he was getting arrested for his anti-Giuliani protests, Clarke was brokering deals with the mayor. One prominent Owens campaign poster featured Clarke and Giuliani in a warm embrace and accused Clarke of being "Giuliani's puppet."

But Clarke claimed her work with the mayor as a badge of honor—because it showed she could get results. As one of her main accomplishments in office, she touted a Giuliani directive she engineered allowing private commuter-van services, mostly driven and owned by West Indians, to operate legally. Justifying her relationship with the mayor, she explained, "What he [Owens] sees as an alliance, I see as a negotiation. I needed to deliver computers to schools in Brooklyn [a reference to another deal she brokered], and I was able to do that by working with Giuliani." She refused to be arrested protesting the Diallo killing, she said, because of the hassle an arrest record would cause her, as an immigrant, in international travel—a message that resonated with other West Indians, who are often hassled by the Immigration and Naturalization Service when they return to the United States from the islands.

It's unclear whether Clarke, who will give up her city council seat next year in accordance with term limits and is already 65, will challenge Owens again. But it's almost certain that the divide her campaign exposed will return in future races. And not just in New York. In cities like Miami and Newark, growing West Indian communities could threaten African American political fiefdoms as well. In many ways, it's the old American story of ethnic succession—a new ethnic group moves into the neighborhood and brings forth its own representatives and political style. And ethnicity remains a driving force in American politics—even, it turns out, when both ethnic groups are black. ■

ELEANOR BROWN is a fellow at the New America Foundation.

Gore's man in Little Havana. Embargoed

By RYAN LIZZA

WHEN 100,000 PROTESTERS, most of them Cuban-Americans, marched down Calle Ocho in the heart of Miami's Little Havana last April, one woman carried a sign that summed up her community's sentiment in the wake of the Elián González saga: GORE, DON'T EVEN BOTHER IN NOVEMBER, WE WILL REMEMBER! Until a few weeks ago, the Gore campaign was taking her advice. But now, with the vice president unexpectedly locked in a dead heat with George W. Bush in Florida—the latest Mason-Dixon poll, released on September 12, has the Texas governor up by a statistically insignificant two points—Democrats think they can woo the most intensely anti-Clinton constituency in the country.

The reason? Florida Democrats call it the "Lieberman factor." Pundits have made much of the Connecticut senator's appeal to Jewish voters in the Sunshine State. But Jews were already in Gore's column. Lieberman's bigger

electoral influence may be with Cuban-Americans, a group whose interests he has fiercely championed ever since he came to Washington twelve years ago. "We have about six Democrats in the Senate who are, up and down, solidly on our side, no question about it," says José Cárdenas, Washington director of the Cuban American National Foundation (CANF). "And he's one of them." Gus Garcia, a vice chairman of the Dade County Democratic Party, concurs: "There is no Republican who can show a better voting record on Cuba than Lieberman."

Lieberman's ties to the Miami exile community date back to his first run for Senate in 1988. His opponent, incumbent Lowell Weicker, had earned himself a spot on CANF's hit list that year for his ostentatious embrace of Fidel Castro. The liberal Republican advocated relaxing the Cuban embargo and had traveled twice to the island to meet with Castro, once returning with a box of cigars given to him by the dictator. Through mutual acquaintances in South Florida's Jewish community, Lieberman met with CANF's controversial founder, Jorge Mas Canosa. The two men became friends—"Jorge Mas Canosa and I really just struck it off," Lieberman recalled in an interview with a Connecticut newspaper in May—and Lieberman, who had not previously demonstrated much interest in Cuban politics, repeatedly attacked Weicker as soft on Castro. CANF's political action committee, Mas Canosa, and other prominent Cuban-Americans responded with contributions to Lieberman's campaign, and Lieberman went on to beat Weicker

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by seven-tenths of a percentage point.

Once in the Senate, Lieberman continued to work on behalf of anti-Castro Cubans. He championed the 1992 Cuban Democracy Act, which tightened the U.S. embargo by barring foreign subsidiaries of American companies from trading with Cuba. In 1996, he supported the Helms-Burton Act, which penalizes foreign firms that do business with Cuba. He has publicly chastised Nelson Mandela for befriending Castro and Vaclav Havel for allowing the Czech Embassy to house Cuban diplomats in Washington, D.C. He has consistently backed funding for Radio Martí and TV Martí, the much-criticized broadcasting operations run by Cuban exiles. He was even a member of Mas Canosa's "Blue Ribbon Commission for the Economic Reconstruction of Cuba," which hatched the dubious plan of sailing a cruise ship loaded with investment bankers and money into Havana when Castro finally falls. And, of course, Lieberman supported keeping Elián in the United States earlier this year.

Now Lieberman is trying to transfer some of the goodwill he's built up among Miami's Cubans to the Democratic ticket. In the past few weeks, the Connecticut senator has privately reached out to Jorge Mas Santos, the late Mas Canosa's son and current chairman of CANF, and to Miami's Cuban-American leadership more generally. "Since the nomination, there have been several conversations back and forth," says CANF's Cárdenas. "I think that they are kind of probing to see right now." And Lieberman's efforts may have already paid off: CANF was expected to endorse Bush this year, but so far it has held off, and the foundation has indicated it may sit out the election. Encouraged by the headway, Florida Democrats like Attorney General Bob Butterworth and state Democratic Party Chairman Bob Poe are urging the Gore campaign to divert Lieberman from Miami's Jewish retirement condos to Little Havana. Says Poe, "Don't be surprised to see Lieberman walk down Calle Ocho."

AT FIRST GLANCE, this combing for Cuban votes might seem pointless. A poll released September 8 by Hispanic Trends shows Bush with 83 percent support among Cuban-Americans. And Gore is clearly still harmed by his association with the Clinton administration's Elián policy. "Many people in the Cuban-American community believe that the only way they can get back at Clinton for the disrespect that was shown to the community during the Elián crisis is to vote against Gore," says Cárdenas. But, in such a tight race, even a small shift could deliver the state. "If the poll says right now that eighty percent [of the 400,000 Cuban-American voters in Florida] are going for Bush," says Lieberman campaign manager Tom Nides, "if we can drop it down to seventy percent or sixty-five percent, we're in great shape—we win Florida."

And it's not just their veep nominee who's convincing Democrats they can peel off Cuban votes; it's the other guy's number two as well. In the Ford administration and in the House of Representatives, Dick Cheney consistently opposed unilateral sanctions against Cuba. More recently, as CEO of Halliburton, Cheney took a veiled swipe at Cuban-

Americans when he said in 1998, "Unilateral sanctions almost never work. They are usually politically motivated, responding to a domestic constituency." Even after joining the Republican ticket, Cheney, on NBC's "Meet the Press," criticized Helms-Burton and said he would consider lifting the embargo. After CANF complained, Cheney said he would defer to Bush on Cuba policy. Still, Florida Democrats will remind Cubans that Cheney is the man Bush picked as his foreign policy tutor.

Indeed, Democrats hope that comparing Cheney's position on Cuba to Lieberman's will convince Cuban-Americans that the greatest threat to their beloved embargo now comes from GOP businessmen seeking new markets for agricultural interests, not liberals romanced by Castro. "The Bush people," warns Cárdenas, "would do well to understand that ... the most punishing efforts to unilaterally lift sanctions on Castro are coming from Republicans." Joe Lieberman couldn't have said it better himself. ■

Campaign Journal

Feminine Mystique

By MICHELLE COTTLE

NEW ORLEANS, LOUISIANA

SUFFRAGE—AIN'T IT grand? Sure, my gender's had it for a while now, but never has it meant what it means in this presidential election: nonstop, morning-till-night, shameless, pretty-please, anything-you-want pandering. Women are worried about schools? George W. Bush and Al Gore practically take out lockers next to homeroom. Women don't like negative attacks? The campaigns bend over backward to pretend they aren't leveling any. Dark suits turn off the gals? The candidates head straight to Banana Republic. If only men acted like this every year.

For most of the spring and summer, it looked as if George W.'s courtship was the more successful. For one thing, its novelty made it enticing—the guy's guy unexpectedly getting in touch with his sensitive side. Who'd have thought a Republican presidential candidate would be running around calling himself "compassionate," stressing the importance of childhood reading, and emoting about what's "in [his] heart." It had the element of surprise. And, sure enough, as late as last month Bush led Gore with women. In fact, according to Republican pollster Frank Luntz, women, by a small plurality, even said they would rather be married to Bush than to Gore—a sad and sorry position for a Democratic candidate to find himself in.

But since the Democratic convention Gore has set female hearts aflutter, recapturing his party's traditional edge. Even Republican pollster Ed Goeas has Gore up by eleven points

among women, a margin that accounts for the vice president's new front-runner status. How has Gore done it? Simple: He's run the most woman-centric presidential campaign in American history. That's partly because he's following in the footsteps of Bill Clinton, the man who crafted the agenda that made soccer moms swoon. But it's also because Clinton's houndlike behavior alienated those very same ladies, which means Gore has had to go further than his boss ever did to keep America's women in the Democratic fold.

WOMEN DIDN'T ALWAYS get this much election-year attention. Back in the bad old days—during the cold war—presidential candidates swaggered around comparing throw weights and debating whether the Minuteman or the MX could be better “hardened” to withstand Soviet attack. Stereotype, shmereotype—the military talk didn't do it for women. Nor, by and large, did they thrill to the “lock 'em up and throw away the key,” tough-guy anti-crime rhetoric that characterized the 1970s and '80s. Compared with men, women didn't even go for the rhetoric about “slashing taxes, boosting defense spending, and balancing the budget” that Ronald Reagan made the cornerstone of his campaigns. Yes, sisters, it was bleak.

But the end of the cold war changed everything. Defense policy was out; health care and education were in. Even crime, a “men's issue” when it meant law and order, now meant a “women's issue,” gun control. Nine years ago in these pages, Christopher Matthews described the Republicans as the “Daddy Party,” handling physical safety and moral retribution, and the Democrats as the “Mommy Party,” providing for decency and quality of life. But with the cold war over and crime plummeting, Daddy's work didn't seem so pressing anymore. And Clinton became the first presidential candidate to recognize that the “soft” issues women had prioritized would now determine elections. Witness the “Medicare, Medicaid, education, and the environment” mantra that marked the president's 1996 campaign. In the “soccer mom” election, Clinton beat Bob Dole among women by a whopping 18 percent.

But, having been his most avid supporters, women were especially embittered by

the president's emphatically anti-family conduct in his second term. And that hurt Gore. “Among married women, we were [leading by] double digits in terms of support going into the Democratic convention,” recalls Goeas. These voters in particular, he says, “were holding Gore somewhat responsible for feelings they had toward Bill Clinton.”

It was no longer enough, it became clear, to stress the issues women cared about. If Gore wanted to overcome the Clinton stigma, he had to feminize his persona as well. His early efforts, à la Naomi Wolf, were a disaster, and as late as August it wasn't clear Gore could do it. At home discussing policy minutiae, he never seemed as comfortable baring his soul to the nation as Clinton. “Gore's demeanor was so stiff and uninviting,” says Luntz, “that women simply were not listening to the message because they were so bent out of shape over the messenger.”

So the Gore campaign pulled out all the stops at the Democratic convention to portray their candidate as *über*-family man. They aired not one but two mini-documentaries about his personal life, one composed primarily of photos taken by Tipper Gore. Rather than be introduced by some eminent pol, as nominees traditionally are, Gore was introduced by his wife, who was in turn introduced by their daughter



MATTHEW MARTIN

Kristin (eldest daughter Karenna Gore Schiff spoke the previous night). And then, of course, there was the big, sloppy kiss the veep laid on Tipper before his speech. The Kiss is what really started turning things around for Gore, says Luntz. "Absolutely, I have no doubt about it. . . . The guys looked at it and said, 'Yuck.' The women looked at it and said, 'Cool.'"

Sure enough, talking with women in New Orleans, where Gore traveled last week to do a couple of quick rallies, I found that almost every Gore supporter, in discussing the candidate's newfound favor with the ladies, cited his personality—with an emphasis on his family life. "He was more open at the convention," said Minnesotan Gina Andrew, in town on her honeymoon. "He seemed more like a common person. He had always seemed so stiff in the past." "He appears to be a real person," said Diane Tillman, who brought her three granddaughters to see Gore. Said Betsie Gambel, "Gore's family values have come out much more loudly." Bonnie Adelsberg concurred: "He's got a lot of family support. And I love that good relationship with his wife." In recent polls, women now say Gore is the better-looking candidate and the one with whom they would rather go out to dinner.

And Gore's success in connecting with women personally has cleared the way for him to effectively hammer away on their issues. This week, the veep popped up on "Oprah," chatting about education, prescription drugs, and family, family, family; he has plans to drop in on Rosie O'Donnell in the near future. Meanwhile, George W. has been distracted by the need to defend his gargantuan tax-cut proposal and his desire to tweak Clinton-Gore on national defense, the only clear "men's issue" on the campaign agenda and, not coinci-

dentally, the only issue on which the Texas governor has a significant edge. Since the conventions, "Bush seems to be focusing a lot on military issues," says Amy Caiazza, study director for the nonpartisan Institute for Women's Policy Research. Indeed, running mate Dick Cheney seems capable of talking energetically about little else. But while the military spiel may help W. among white males, it is unlikely to rally the ladies. "This issue just doesn't resound as much with women," says Caiazza.

Indeed, since the Democratic convention, Gore has been killing Bush among women. Goeas chalks up the veep's eleven-point edge among women to single gals, where Gore leads 47 to 27, and minorities, where he leads 66 to 15. (These are the folks "looking for a stronger safety net," Goeas explains.) But even among married women, where Bush needs to win big, he leads Gore by only two points. Bush still retains a significant margin among white women older than 65 (Bush 43, Gore 37) and white women who don't work outside the home (Bush 51, Gore 34). But among soccer moms—defined as married, white, working mothers—Gore has a two-point edge.

You can feel it in New Orleans. After Al and Tipper finished their rally in the French Quarter (which included a smooch or two, of course), the crowd pressed up against the police barricades. I stopped a mother-daughter duo to get their take on the vice president. "Gore has goals, and he has a good heart," said Keri Evans, a student at nearby Loyola University. "He's quiet, but that's beside the point." Keri's mom, Rachel, her hand fluttering to her chest as if to calm a pounding heart, was clearly even more smitten: "I like anything that comes outta that man's mouth." Bill Clinton, eat your heart out. ■

Bush's year of living immoderately.

Primary Colors

By JOHN B. JUDIS

HOW HAS GEORGE W. BUSH developed his reputation as a "compassionate conservative"? Partly, of course, through slick campaigning: the innumerable school visits, the multicolor Republican convention, the muzzling of the religious right. But that alone wouldn't have been enough. With considerable success, Bush has convinced the press—and, through it, the voters—that his moderation on the stump isn't an election-year ploy but the logical extension of his conduct as Texas governor. And he's partly right. W's early policies on education, welfare reform, and taxes—along with his silence on abortion and his friendship with Democrats in the legislature—infuriated the Texas religious right, which controls the state GOP. Former Texas Republican Party Chairman Tom Pauken, outraged by Bush's compro-

mises with state Democrats, even called the governor a "me-too Republican."

But that was during Bush's first term in office. Largely overlooked, despite the media's extensive reporting on Bush's gubernatorial record, is his sharp swing to the right once he was reelected in 1998. Soon after winning a second term, Bush began gearing up for the Republican presidential primary. And his chief liability, it gradually became clear, was the perception (based partly on his lineage and partly on his record) that he wasn't a true social conservative. By mid-1999, James Dobson, president of Focus on the Family, was recycling Pauken's charges, accusing Bush of abortion "double-talk" and fretting, "We don't know what he believes." Steve Forbes began running ads in New Hampshire questioning Bush's commitment to the pro-life cause.

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W. suddenly adopted the religious right's agenda for two issues on which his reputation for moderation had been heavily based: abortion and welfare reform. Almost overnight, the Texas governor became a conservative of a distinctly uncompassionate kind. Does that mean he's a right-winger at heart? Probably not. Does it mean he doesn't believe in the moderate policies he has been espousing on the campaign trail? That's not quite right either. Bush's recent conduct as governor reveals the same pattern as his primary campaign against Arizona Senator John McCain: He believes in compassionate conservatism—except when he needs the support of people who don't.

AT THE BEGINNING of each of the Texas legislature's biennial sessions, the governor announces his priorities. In 1995, Bush singled out tort reform, and the legislature complied. In 1997, Bush lobbied (unsuccessfully) for a tax-reform plan that would have shifted school funding from property taxes to sales and business taxes. Both years, Bush largely ignored the right's social agenda—he did nothing to restrict gay rights, immigration, or bilingual education, and he supported state education standards over conservative objections.

But on no issue was he as obviously indifferent to the right as on abortion. In his 1994 campaign, Bush declared the issue “settled,” refusing to join the Texas anti-abortion groups

trying to overturn *Roe v. Wade* and even pledging to protect abortion as a legal right. In 1996, he refused to sign an anti-abortion pledge that Texas conservatives were demanding delegates to the Republican convention sign. And although Bush said he supported requiring minors to notify a parent before obtaining an abortion, he did little to get such legislation passed. Parental notification bills died in the 1995 and 1997 sessions, in part because the governor didn't throw his weight behind them.

So it was something of a shock when Bush announced, in 1999, that he was making parental notification a priority. From the start, it was clear the governor was interested in ideological showmanship, not consensus. In his first term, Bush had gained a reputation for working with Democrats—in 1997, for instance, he asked a Democrat, State Representative Paul Sadler, to lead the push for tax reform. And in 1999 Bush could have significantly increased parental notification's chances of passing by crafting the bill in conjunction with some of the legislature's dozen prominent pro-life Democrats. But he ignored them, choosing an all-Republican group to promote the bill instead.

These Republicans, in turn, crafted a bill that clearly contravened *Roe v. Wade*. Under its terms, a minor would have to notify a parent before getting an abortion even when the parent was absent or abusive. Notification laws in Illinois and Wisconsin allowed a close relative to substitute. The conservative Virginia legislature allowed doctors to waive

Missing Link

AL GORE THINKS George W. Bush has a lousy record on health care. And Exhibit A is the way the Texas governor has administered Medicaid. On September 5, the Democratic National Committee unveiled an ad spotlighting a federal judge's recent ruling that Texas violated a 1996 agreement to make major improvements—including stepping up outreach and offering transportation to medical appointments—to its Medicaid program. “The Bush record,” the ad's narrator intones. “It's becoming an issue.” That same week, Gore's running mate, Joe Lieberman, traveled to Houston to denounce the bureaucratic hurdles that prevent many Texans from enrolling their children in Medicaid. Declared Lieberman: “Texas actually ranks forty-ninth of fifty states in providing health insurance for kids.”

But whose fault is that? While it's true that Bush has responded pitifully to the plight of his state's 1.4 million uninsured children, what's going on in Texas is merely an extreme example of what's happening in other states. All over the country, the needy are discour-

aged from getting the health care benefits to which they're entitled. And for that the Clinton-Gore administration—which anticipated the problem but has been appallingly slow to address it—is also to blame.

It used to be that families who received cash assistance from the government automatically received Medicaid as well. But that changed in 1996, when welfare reform “delinked” the two forms of aid. The poor, Congress decided, were not entitled to welfare. But they were still entitled to health coverage, and losing the former should not mean losing the latter.

Since then, welfare caseloads have dropped all over the country, leaving state budgets swollen with unspent federal welfare dollars. Caseload declines are the kind of statistic politicians love to crow about. What they tend not to mention is that Medicaid enrollment, which the 1996 law vowed to protect and even expand, has also plummeted, and not just because fewer people need coverage. As health care analyst Marilyn Ellwood concludes in “The Medicaid Eligibility Maze”—a 1999 study

jointly funded by the Urban Institute and the Kaiser Commission on Medicaid and the Uninsured—“Medicaid priorities to maintain and even expand enrollment seem to be in direct conflict with welfare reform efforts to substantially reduce enrollment.”

Part of the problem is that delinking has made getting Medicaid a bigger bureaucratic hassle. Now, in addition to the headaches that applicants for the huge government program already face—complicated eligibility guidelines, inconvenient office hours, language barriers for non-English speakers—there are administrative hurdles specifically related to its delinking from welfare. In several states, for instance, computer systems have dropped people from Medicaid when their welfare cases were closed, necessitating a cumbersome process of outreach and reinstatement.

The delinking has also caused public misconceptions. Aware of newly stringent welfare rules, many poor Americans simply don't realize Medicaid may still be available to them. Even worse, local caseworkers, often seeing it as their job to divert applicants from all forms of public assistance, haven't always told them otherwise. In 1998, for instance, seven poor New Yorkers filed

the parental notification requirement if they thought a girl had been abused or neglected. Not the Texas bill. The legislation also targeted doctors: unlike many parental notification plans, the Texas bill said any doctor who performed an abortion on a minor without notifying the parent at least 48 hours beforehand would be subject to not merely civil but criminal penalties, including imprisonment.

The bill started in the state Senate and quickly encountered opposition from the Texas Medical Association, which opposed the criminal penalties on doctors. Joe Pojman, executive director of Greater Austin Right to Life and one of the bill's chief advocates, asked Bush to weigh in. "We had raised a concern that we wanted to have a criminal penalty," Pojman recalled. "[Bush] sat in on [a] committee hearing in March, and he recognized me, and pulled me out of the committee, and said, 'Joe, how do you think the bill is progressing?' and I told him there was a problem of the medical community opposing penalties. I told him they ought to be indebted to him for what he did for them last year. He said, 'Yeah, you're right,' and smiled, and he told his legislative director, Terral Smith, to look at it. He was pretty supportive of us." With Bush's help, the bill passed the Senate.

The House proved tougher. At first, most lawmakers opposed slapping criminal penalties on doctors. And Bush began to wobble, indicating he might approve a compromise. So Bill Price of Texans United for Life—the bill's other primary supporter—mounted a public campaign to

pressure Bush and the legislators. In a statement to the press, Price attacked Bush for supporting an "abortion-doctor protection bill." Bush caved and made it clear to the House sponsors that he didn't want a bill without criminal penalties.

On the bill's other key point—who could authorize abortions for minors—Bush needed no such persuading. Patti Gray, a pro-life Democrat in the House, had proposed an amendment allowing minors to consult a close relative rather than a parent. The anti-abortion groups labeled Gray's change an "anti-parent amendment" that would allow a girl to "easily obtain an abortion without her parent(s) ever knowing." Bush agreed and lobbied against Gray's compromise, which was ultimately voted down on the floor. When the bill left committee, it seemed Bush would win on criminal penalties as well. But, right before the full House was set to vote on the bill, an amendment was added that removed criminal (but not civil) penalties; the Senate, under time pressure, concurred with the House amendment; and, with the pro-life lobby's acquiescence, Bush signed the bill into law.

One of Bush's proudest achievements in his first term was a bipartisan 1995 welfare reform law. The legislation didn't increase welfare benefits in the Lone Star State—Texas still ranked forty-seventh in the nation in the size of its grants. But it did create a surprisingly compassionate, even liberal, program to help welfare recipients transition to work. The program set three different time limits for recipients—one, two,

a class-action suit claiming that workers at the city's "job centers" (converted welfare offices where aid is contingent upon tough job-search requirements) had improperly delayed applications for Medicaid and food stamps, both of which are federal entitlements not subject to work requirements. A federal judge imposed an injunction against the expansion of New York's job centers until the delays had been corrected; in July, the injunction was upheld.

Congress anticipated this kind of thing. Its 1996 law even set aside \$500 million in matching funds to help states address the problems delinking would create. In May 1997, the Clinton administration's Health Care Financing Administration (HCFA) sent a letter to state Medicaid directors reminding them of the funds' availability and uses.

But states haven't availed themselves of the funds: as of March 2000 only 30 percent of the money had been spent, and five states had not claimed a single dollar of their allocations. The reason? Because the feds, in their less-than-crystal-clear instructions to local officials, seemed to narrowly prescribe the ways the money could be spent. Maryland Medicaid officials, for instance, didn't believe their state was eligible for the money since it had kept its welfare

and Medicaid programs running side by side in the same office. Even in Pennsylvania—which had spent 70 percent of its allotment by the end of fiscal year 1999–2000—state Medicaid officials were wary of using the money to run TV spots advertising Medicaid. According to George Hoover, director of the division of health services at the Pennsylvania Department of Public Welfare, state officials thought that for the spots to qualify for matching funds, they'd have to specifically mention the delinking of welfare and Medicaid, which would continue the very association—and stigma—of the two programs that delinking itself was supposed to eliminate. "Even though [HCFA] provided a framework, there were still some questions that states had," says Hoover. "There was not a real good mechanism for getting those issues clear."

On top of their vague directions, the feds placed a three-year window on states' access to the \$500 million fund. Ned Wollman, a Maryland Medicaid official, notes that states were reluctant to initiate costly and time-intensive administrative changes (like overhauling computer systems) when the federal matching funds might expire before the overhauls were completed.

Last fall HCFA convinced Congress to lift the deadline. And in January the agency sent another letter to state Medicaid directors about the fund, addressing confusions and emphasizing the "wide range" of ways to spend the money. On April 7, HCFA went further, urging states to "explore and exhaust all possible avenues of eligibility." This new flexibility and clarity, along with the removal of the deadline, has finally encouraged states to start spending their allotments.

But, while the Clinton administration—and, to be fair, the states—have dithered, scores of low-income Americans have lost their health care as a result of welfare reform; a study by Families USA put the number at 675,000 in the first year alone. Of these, 62 percent were children, most still eligible for coverage. And only a fraction of them will ever get it back. "In retrospect, given the problems identified, would we have liked to come out with the April 7 letter earlier? Yeah," concedes Cindy Mann, director of Family and Children's Health Programs at HCFA's Center for Medicaid and State Operations. "I regret that we're where we are right now."

KATIE ISENBERG

or three years—depending on their prior work experience and qualifications. But the clock didn't start ticking until a child of a mother on welfare turned four, and it didn't start at all in counties that could not provide child care or public transportation. The Texas plan also allowed people on welfare to count education as work. And even if they refused to work or go to school, thus potentially losing benefits, their children would still receive welfare, food stamps, and Medicaid.

In effect, Texas's welfare program more closely resembled the relatively generous Clinton plan of 1994 than it did the harsh Republican plan that Congress passed (and Clinton signed) in 1996. And, by all accounts, it was a resounding success. From August 1996 through September 1998, Texas's welfare rolls fell 47 percent, compared to a national average of 35 percent. Bush seemed pleased. At the end of the 1997 session, he said, "We have a better welfare system that helps people who truly need to be helped and that encourages others who don't, who need to be transitioned off welfare."

Nevertheless, in 1999 Bush decided to bring the program in line with the social agenda of the Republican right. His chief lieutenant was Larry Temple, whom Bush hired in September 1997 to fill the newly created position of welfare reform director. Temple, who had not yet graduated from college when he was hired, had headed Mississippi's Work First program under Republican Governor Kirk Fordice. This hardly constituted promising experience: Mississippi specialized in denying people benefits for the slightest infraction. And the state seemed more interested in pruning welfare rolls than in helping people stay employed. According to a *New York Times* study, Temple had found jobs for 42 percent of the applicants to his program—but after 15 months only half were still employed.

IN TEXAS, BUSH and Temple began trying to make the state's welfare system more punitive. They proposed what Bush called "full family sanctions"—which meant that if a mother refused work, missed appointments, or refused to identify the father of her children, not only would she lose her benefits, but her children would too. Bush also proposed a policy of "one strike and you're out." The idea was to permanently deny welfare benefits to anyone convicted of a drug felony—which meant, in Texas, not only manufacturers and traffickers but people caught possessing as little as one gram of cocaine or five ounces of marijuana. More lenient lawmakers, including some Republicans, proposed permanently denying benefits for the sale or manufacture of drugs but denying them only temporarily for possession. Bush refused.

Bush also fought attempts to extend the benefits of the Texas welfare program. When families leave welfare, under federal law their children frequently remain eligible for Medicaid. Yet parents often do not know this and thus fail to enroll their kids. Sure enough, State Representative Elliott Naishat, chairman of the House Human Services Committee, discovered that approximately 598,000 eligible Texas children were not receiving Medicaid benefits. So he proposed to automatically enroll children in Medicaid when their parents left welfare. Bush rejected the proposal and even tried to prevent it from being debated on the House floor.

Remarkably, the Texas legislature, hardly a bastion of liberalism, rejected Bush's ideas as too punitive. But Bush would have the last laugh. In October, after the legislature had adjourned, Bush and Temple sent a letter to Washington declaring that Texas planned to immediately bring its welfare program in line with new federal requirements—even though the state could have waited to do so until 2002 and even then could have requested a waiver for additional time. In making the change immediate, Bush all but eliminated the compassionate aspects of Texas's program. Now only mothers with children under twelve months would be exempted from the work requirements. There would be no exception for mothers in rural counties without access to child care or public transportation. It would be more difficult to count education as work. And, perhaps most important, compliance with federal requirements became retroactive. This meant that roughly 10,000 children could lose their welfare benefits one year earlier than they would have under the original Texas plan. When the Texas Department of Health and Human Services protested, Temple fired off a memo charging that the "Texas system," which Bush had once enthusiastically backed, "actually promotes a lifestyle dependent on welfare."

Garnet Coleman, a Houston state representative who worked closely with Bush on welfare issues during the governor's first term, emerged from the 1999 battles disillusioned. "I tried to work with the governor's office," Coleman said. "What disappointed me was that in talking to the governor I have always seen him as a person who was very thoughtful, but I was surprised at the ideological points of view of his staff. They really believed these sanctions would have an impact and would decrease the number of people on welfare. I kept asking them, have you read [the bill]? It is working. We have one of the best welfare reform policies in the country. Someone with an eighth-grade education gets a longer time. It's smart, good government. For someone to come in and say we want to put sanctions on them because their kid missed school—that is not what we were trying to do. It just made no sense to me. It just looked mean."

BUSH DIDN'T STOP at abortion and welfare. He championed a bill forbidding the state adoption agency to place children with gays or lesbians. (When legislators learned that the plan would require expensive investigations of each applicant, they rejected it.) Bush vetoed a measure requiring counties to provide lawyers to indigent defendants within 20 days, even though the legislature had passed the bill unanimously. And, as has been widely reported, Bush attempted to deny medical benefits under the federal Children's Health Insurance Program to thousands of Texas children.

Legislators I interviewed believe Bush's lurch right represented positioning for the presidential primary, not a change of heart. (Austin Democrat Glen Maxey, the legislature's only openly gay member, says that Bush told him privately, "I value you as a person and I value you as a human being, and I want you to know, Glen, that what I say publicly about gay people doesn't pertain to you.") They think that Bush—

recalling conservatives' charge that his father had been too moderate in office—wanted to shore up his right flank. Bush, of course, never admitted as much. But his staff reportedly did. When Naishtat asked Bush legislative aide Terral Smith why the governor included mere possession of drugs in his “one strike and you’re out” plan, Naishtat says Smith told him, “We can’t compromise on that felony drug issue because we can’t open ourselves up to attacks from Buchanan and the right.” Smith says that he can’t remember saying this and that “[i]f I said it, it would have been a joke.”

Either way, Bush relied heavily on his 1999 record to calm conservative fears that he didn’t care about the right’s social agenda. To the national media, of course, he projected a moderate image. But in October, when he addressed the Christian

Coalition’s annual meeting in Washington, D.C., he highlighted his role in passing the parental notification bill.

The strategy worked. Bush convinced prominent social conservatives—from Ralph Reed to Pat Robertson to Jerry Falwell—that he wasn’t a Rockefeller-style social liberal, and they helped him win the nomination. But, in truth, Bush was knocking down a straw man. The Texas religious conservatives who had seen Bush up close never thought he actually believed in gay rights or abortion rights. They suspected that he didn’t much care one way or another, that he would shift with the political tides, that on the issues they (and their opponents) held sacred he had no firm moral instinct whatsoever. And his 1999 about-face proved them exactly right. ■

George W. Bush, likable extremist.

Sweetness & Right

By JONATHAN CHAIT

LAST MONDAY, GEORGE W. BUSH visited a retirement home to discuss Medicare and prescription drugs. On Tuesday, his topic again was health care. On Wednesday, he turned to the environment. On Thursday, it was education and the achievement gap. The theme, his campaign explained, was “Real Plans for Real People.”

Or, put another way, “I’m a moderate”—which has been the message behind practically every Bush slogan for the last year. “Compassionate conservatism” meant “I’m different from the Republican Congress.” “Reformer With Results” meant “I’m as different from the Republican Congress as John McCain is.” Bush’s convention refrain—“They have not led. We will”—meant “I’ll pursue the same goals as the Clinton-Gore administration, only more effectively.” “Real Plans for Real People” means “My policies are as mainstream as Al Gore’s.”

Given the political landscape—most voters support the Democratic positions on major issues—Bush’s message of moderation is good strategy. It is also a lie. In the substance of his program, Bush is running to the right of Bob Dole in 1996 and to the right of today’s Republican Congress. His proposed policies, if enacted, would alter government more dramatically than anything in the last three generations. “We will look back at the Bush years,” predicts GOP activist Grover Norquist, “as moving the country further and faster toward individual liberty than the Reagan years.” Conservative columnists George Will and Lawrence Kudlow have independently hailed Bush and Dick Cheney as the Republican Party’s most conservative ticket since Calvin Coolidge. Accordingly, conservatives—the same cantankerous bunch that castigated stalwarts like Newt Gingrich and Trent Lott

as apostates—have fallen behind Bush in lockstep.

And yet Bush’s true radicalism has not been well-understood outside the right. The mainstream media generally describes W. as a Republican counterpart to Bill Clinton—a moderate who, as *USA Today* put it, will “govern from the center, rejecting the shrill conservative absolutism that turned off swing voters after Republicans won control of Congress in 1994.” And so, by this interpretation, the right’s embrace of Bush is a calculated compromise born of desperation for victory.

But the proper ideological analogue for Bush is not Clinton in 1992 but Michael Dukakis in 1988. Clinton captured the center by confronting his party’s base on issues such as the death penalty, welfare, and tax cuts. Dukakis, by contrast, hewed to liberal policies but tried to escape liberalism’s stigma by emphasizing his personal qualities. He sought to allay fears that he was a big spender, for instance, not by proposing domestic budget cuts but by stressing his personal frugality. Bush, similarly, has upheld conservative dogma while stressing his tolerant and compassionate style. The mystery is not why conservatives see Bush as a man of the right but why so many moderates and liberals do not.

The answer begins with the intellectual prejudices of the media and the rest of the elite. After the Republican revolution of 1994 fizzled, the media concluded that the public had rejected the GOP because it was “harsh” and “mean-spirited”—clichés summoned over and over to describe the Republican Congress. Gingrich, as his followers bitterly recall, was depicted on the cover of *Newsweek* in late 1994 as the Grinch. In effect, temperament became shorthand for ideology. Republicans who sounded dour or confrontational were assumed to be radical. Those who seemed pleasant, or

comfortable around minorities and the poor, were called centrists.

As many conservatives have complained, this isn't fair. Most people on the right believe—or, at least, have convinced themselves—that scaling back government really is the best way to aid the downtrodden. (Jack Kemp has spent practically his entire political career passionately insisting that abolishing the capital gains tax would revitalize inner cities.) But the stereotype has stuck, and Bush's masterstroke has been to embrace it. He has invoked conservatism and compassion as a kind of yin and yang, as if merging the two concepts into a Republican third way. He surrounds himself with African American and Latino children, thereby illustrating his promise to "leave no child behind," while steering clear of the Republican Congress, which presumably wants to do just that. When Bush unveiled his prescription-drug plan two weeks ago, he began by praising Medicare, the quintessential Great Society program, and implicitly acknowledging that past generations of Republicans had erred in trying to tear it down.

But, if you listen closely, it becomes clear that Bush believes traditional conservative policies have been compassionate all along. "It is conservative to cut taxes," he has said. "It's compassionate to let people keep more of their own money." Bush's frequent declarations of kindheartedness do not represent a break from right-wing policies; they represent a new way of portraying them. Bush has said it himself. "The Republican Party," he once declared, "must put a compassionate face on a conservative philosophy."

BUSH HAS ALSO benefited from another media bias: the tendency to portray governors as centrists. In the mid-'90s, just as the Gingrich revolution was going up in flames, the press discovered a dynamic crop of GOP governors: Wisconsin's Tommy Thompson, New York's George Pataki, Pennsylvania's Tom Ridge, Michigan's John Engler, and, of course, Texas's George W. Bush. Since the governors were pursuing a more moderate course than their congressional counterparts—cutting taxes less dramatically and expanding popular government services such as education—the media dubbed them the party's pragmatic wing, a perfect foil for the extremist GOP Congress. "In contrast to the sinking Congress," explained *Time* in last summer's cover story on Bush, "the governors were emerging as stars, centrist and practical CEOs who were busy fixing welfare and improving schools and cutting taxes while Gingrich fiddled."

Yet the comparison was facile. The governors may indeed have been less anti-government than their Washington counterparts. But the reason wasn't ideology; it was the structural realities of office. Conservatives, by and large, do not object equally to all forms of government; mainly, they disdain those government functions that redistribute wealth from rich to poor. This is why they tend to target the estate tax, Medicare, or the Earned Income Tax Credit rather than, say, the military, highways, or the Coast Guard. And the sorts of functions that so irk the right exist almost entirely at the federal level. State governments do little social insurance or progressive taxation. So the fact that Republican governors

have not assailed government hardly means they hold a philosophy different from Republican congressmen. It simply means they govern in an environment that is already more to their liking.

This is particularly true in Texas. During Bush's tenure in Austin, state government has not substantially veered to the right (although in 1999 it tried—see "Primary Colors," by John B. Judis, page 22). But that's largely because there wasn't much further to go. Texas already ranked near the bottom in funding for almost every kind of social service. Yes, Bush was willing to spend more money on education. But funding was already so low that the Texas education debate essentially pitted business leaders (originally Ross Perot) concerned that the state wasn't ensuring them a literate workforce against Christian conservatives who believed intervention from Austin represented a threat to their liberty. Bush sided with business, which made him a relative moderate.

Texas's tax system also illustrates the ideological distance between Washington and Austin. At the federal level, taxes are highly progressive. An average family in the bottom fifth of the income distribution pays just under 9 percent of its income in federal taxes, and the rate rises steadily up the scale, with the top 1 percent of families giving 37 percent of their income to the federal government. Texas, on the other hand, relies mainly on regressive taxation, which means the average tax burden drops as the income scale rises. The poorest fifth of Texas families pay more than 13 percent of their income in state taxes, a rate that declines steadily until you reach the wealthiest 1 percent, who send less than 5 percent of their income to Austin. This is not exactly the sort of arrangement that inspires a conservative to foment tax revolt. (And even this system was too progressive to suit Bush. He proposed shifting a greater share of the tax burden onto the poor.)

THE MEDIA'S THIRD error is a historical lag in its basis of comparison. Reporters usually compare Bush to the congressional Republicans under Gingrich, who did indeed hold a number of radical conservative positions. But Gingrich isn't around anymore. And, after six years of losing fights with Clinton, the House Republicans under Dennis Hastert have been sounding a great deal more moderate themselves. On many of the issues where Bush is given credit for his centrism, he is actually *following* his colleagues on the Hill.

When Bush's allies drafted the GOP platform, for instance, much was made of their removal of its call to abolish the Department of Education—even though Republicans in Congress had, years before, banished that shibboleth from their budgetary proposals and vocabularies. Today, congressional Republicans cannot utter two sentences on education without mentioning that they want to spend *more* than President Clinton. Indeed, today's Republican congressmen—those facing tough reelection battles, at least—sound like Clinton wannabes. An advertisement for House impeachment manager James Rogan declares, "I fight for things like ... HMO reform and a prescription-drug coverage for seniors and the juvenile Brady law to keep guns out of the hands of violent youth."

In fact, if there is any policy daylight between Bush and his Hill colleagues, it is because Bush is to the right. Only a handful of Republicans are promising, along with their presidential nominee, to privatize Social Security. The large tax cut passed by Congress last year, and vetoed by Clinton, would have cost less than half as much as the program Bush proposes today. Bush's plan to encourage Medicare recipients to enroll in managed care resembles the proposal the congressional GOP was pummeled for proposing—and subsequently abandoned—five years ago.

BUT, MORE THAN all these factors, the myth of Bush the moderate stems from a simple lack of understanding of what his program entails. And here, too, elite prejudices and habits are a big part of the story. The liberal and media elite are much more forgiving of economic conservatism than of social conservatism. The sort of people who read and write for *The New York Times* reside near the top of the income scale and tend to define the political spectrum according to a few emotionally compelling social issues. New Jersey Governor Christie Whitman—a staunch economic conservative who favors abortion rights—is frequently identified as a moderate. Gary Bauer—a blue-collar social conservative who supports raising the minimum wage and opposes privatizing Social Security—is deemed a right-wing extremist. The mere fact that Bush is emphasizing issues like health care and education—and de-emphasizing issues like school prayer and abortion—is taken as evidence of his moderation.

But Bush's approach to these economic issues places him at the far end of the Republican right. His proposals on health care (medical savings accounts) and poverty (faith-based assistance) are standbys of the Heritage Foundation and the American Enterprise Institute. Yes, he's proposed modest spending increases on schools and long-term health care, but they are dwarfed by the much greater costs his tax cut and Social Security privatization plans would impose.

And it's not just the relative size of Bush's huge conservative proposals that renders his tiny liberal proposals moot. His tax cut and Social Security privatization are designed to bankrupt and delegitimize government. Bush's rationale for cutting taxes is that the government is projected to run a large budget surplus. But the government also has a large debt and an even larger set of unfunded obligations that will come due when the baby-boom generation retires. When fully phased in, Bush's tax cut would consume the available budget surplus, paralyzing the federal government in exactly the same way Ronald Reagan's tax cut paralyzed it. The net size of Bush's tax cut is 1.5 percent of GDP, compared with 4 percent for Reagan's 1981 cut. But the 1981 tax cut was quickly followed by tax increases the following two years, diluting the net effect to 2.2 percent of GDP. Bush's tax cut, then, is just one-third smaller than the one that caused a decade and a half of red ink.

Bush's Social Security plan would compound the problem. In the context of Social Security, the word "reform" has, in the past, meant a technical fix to keep the system solvent. But

Bush has something else in mind. His idea is not to reform Social Security but to transform it into something completely different. As it stands, Social Security is a system of social insurance designed to keep the elderly, widows, and the disabled out of poverty by granting them a guaranteed minimum income. Unlike Bob Dole in 1996, who proposed no changes in the program, Bush has proposed turning Social Security into a series of personal accounts, whereby every individual would provide for his or her own retirement. If successful, privatizing Social Security would be the most dramatic change in the relationship between the individual and the government since the New Deal.

Financing privatization would have a fiscal effect similar to that of Bush's tax cut. Right now, Social Security is mainly a "pay as you go" system. That means today's retirees are being supported by today's workers. But if you want today's workers to put some of their tax dollars into their own accounts, then you have to figure out a different way to pay for today's retirees. Harvard economist Martin Feldstein, a Bush adviser, has proposed borrowing \$3 trillion over the next decade to cover this "transition" cost. That, of course, would make it difficult for the government to do almost anything else in the meantime.

BUT THE TRUE radicalism of Bush's Social Security proposal isn't even its potential to block all spending for a decade; it's the plan's longer-term effect. Conservatives understand that Social Security, as the most popular federal program, provides an enduring connection between the average citizen and the national government. Once this link is severed, conservatives believe, voters will cease to vest in the government any responsibility for protecting them from the hazards of the marketplace and will acquiesce in the dismantling of the entire welfare state.

One of the reasons Bush's conservative policies have not received the same scrutiny as Gingrich's is that Bush announced them after his public image as a moderate had already taken hold. This led the press to conclude that his right-leaning policies were insincere sops to the right, designed to head off a primary challenge from Steve Forbes. The problem with this theory is that Bush declared his most politically risky stance—privatizing Social Security—*after* the primaries. The logical interpretation is not that Bush was pandering to his base but that, unlike his cowering allies on the Hill, he was willing to spend political capital in order to win a mandate to enact dramatic conservative reforms.

If the mainstream media hasn't recognized this, the right has. "Bush has been reliably conservative on the issues that matter," *National Review* editorialized in July, "His support for tax cuts and Social Security reform is more important than his spending initiatives—not least because if he succeeds on taxes and Social Security, it will be easier to limit government in the future." Exactly. Bush's candidacy shows that, beneath its packaging, today's GOP remains the most radical political party since World War II. The Bush campaign is not a repudiation of the Gingrich revolution—it is the vehicle for its fevered, unredeemed aspirations. ■

Stanley Kauffmann on Films Children and Others

IN FILM MUCH as in life, children have been a blessing, a worry, and a necessity ever since the beginning. Before 1900 the Lumière brothers made films about feeding a baby and about juvenile mischief with a garden hose. Virtually every film culture quickly grasped the new possibilities of capturing cuteness and mischief and pathos. Of course the theater had long used child actors, but theater techniques and circumstances make it more difficult to deal with them. It is much easier in film because work is done in short bits, and any bit can be repeated until it is done as wanted.

But besides the acting possibilities with children, film can capture the spontaneous lives of children. Many documentaries, many fiction films that include non-acting children, have fixed the ephemera of childhood for us. "Time must have a stop," said Hotspur. That's easy, with film.

In both these childhood veins, with actors and non-actors, no film culture has done better than France. A few instances: Duvivier's *Poil de Carotte*, about a lonely red-headed boy, which he made as a silent in 1925 and with sound in 1932; Benoit-Levy's *La Maternelle* (1932), with Madeline Renaud, empress of the French theater, as a nurse in a school for abandoned children; Clement's *Forbidden Games* (1952), about two children in war time; and several films by the director among all directors who seemed bonded with children, François Truffaut—especially *The Four Hundred Blows* (1959), about a boy in an emotional storm, *The Wild Child* (1970), an account of the eighteenth-century boy who was found living in a forest, and *Small Change* (1976), about a provincial school.

As this group shows, French filmmakers have been almost as much concerned with putting "real" children on screen as with child actors. (The Lumières themselves did both kinds.) No contemporary French figure is more suited to this French tradition than Bertrand Tavernier. The whole career of this 59-year-old artist has moved in modes of compassion (*The Clockmaker*, *The Judge and the Assassin*, *A Week's Vacation*). And now Tavernier has made a

film about small children, with "real" children and adult actors.

It All Starts Today (Independent Artists) takes place in and around a school for youngsters aged two to five—we would call it a kindergarten. The school is in the grim northern France that was the setting of the recent *Dreamlife of Angels* and *Humanité*. Tavernier became interested in the subject through his son-in-law, the poet Dominique Sampiero, who has been teaching for fifteen years in such schools in this less touristy part of the country. Tavernier joined with his daughter and Sampiero to write a screenplay, which seems to be little more than an arrangement of incidents that Sampiero had gathered from experience. That's enough. That's plenty.

Tavernier found some extremely apt adult actors, some from Paris and some locals, and took them along to this school where he mixed them with the children who attend there. It's clear that every adult involved in this picture, on screen or off, won the confidence of the children—and repaid it with honesty. The children are seen as themselves, not symbols of anything. But, as is always the case, their beings tell us much about their parents, and the facts about those parents are often wretched. Zolaesque conditions still obtain in this region, underneath the France of *haute cuisine*, and Tavernier's means of deploying this fact is to concentrate on the children. He likes to quote a remark of the Brazilian director Alberto Cavalcanti: "If you're asked to relate the history of the postal service, tell the story of a letter." Tavernier's letter here is this school.

His dexterity as a director gives the picture unobtrusive grace. His work with his actors, the adults, is obviously empathic. Chief among them is Philippe Torreton as the young head of the school whom Torreton invests with all the right kinds of passion. (It's interesting to see how the ultra-plain Torreton becomes better-looking throughout the picture as he sings with the children and fights officialdom for them.) And inevitably, marvelously, there are the faces of the children.

I don't see many rock-and-roll pictures

because I am incompetent to listen to the music. I don't merely mean incompetent to judge it, but actually to listen to it. It splits my head. Of course I have seen some of them. I went to *The Doors* because Oliver Stone directed it and Val Kilmer played Jim Morrison. I should blush, but won't, to admit that I liked everything but the music. Stone's work was masterly, and Kilmer's performance was one of the most grossly neglected film achievements of recent years. Also I enjoyed Rob Reiner's *This Is Spinal Tap*, a ruthless satire of abject rock worship.

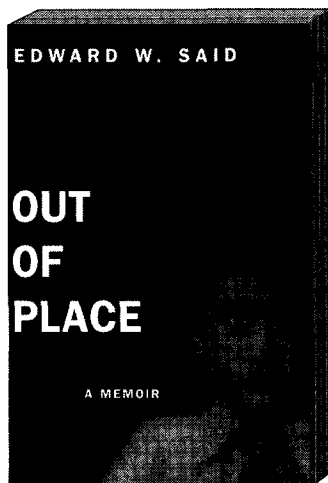
I went to **Almost Famous** (Dream-Works) because it was written and directed by Cameron Crowe and has Billy Crudup in it—also Philip Seymour Hoffman. Crowe's directing glittered in *Jerry Maguire*, a sharp look at athletes' agents; Billy Crudup is an actor with possibilities as large as any American of his generation; and Hoffman is ingenious. On all three of these expectations, *Almost Famous* paid off.

The time is 1973, the place California. A fifteen-year-old rock fan, played by the almost adequate Patrick Fugit, is befriended by a local disc jockey, Hoffman, who also edits a minor rock magazine. Impressed by the boy's knowledge, Hoffman asks him to travel with a band called Stillwater and do a story. His mother (Frances McDormand) reluctantly consents, but hovers by telephone. Adventures follow for the boy, particularly in his friendship with the band's lead guitarist, played by Crudup; and the boy's writing attracts the attention of that Pantheon of rock journals, *Rolling Stone*.

Not much about the whirling, sexy, drugging, convivial yet edgy community of rock, as shown here, will be new to those who have seen *The Doors* or *This Is Spinal Tap* or TV documentaries about Janis Joplin; still, Crowe unreels his story neatly. Hoffman proves again that he is an odd and true talent, and Crudup does all that is humanly—almost superhumanly—possible to give the guitarist individuality and depth.

Dept. of Lost Causes. The Film Society of Lincoln Center recently presented a retrospective of the films of Valerio Zurlini. The response "Who?" is precisely why this program made me sad. Zurlini, 1926-1982, was one of the Italian directors who flourished after World War II. Of that group he is one of the least known in this country. I had previously seen only one Zurlini film, *The Girl With the Suitcase*, with Claudia Cardinale, which was included in this recent series. Of the other

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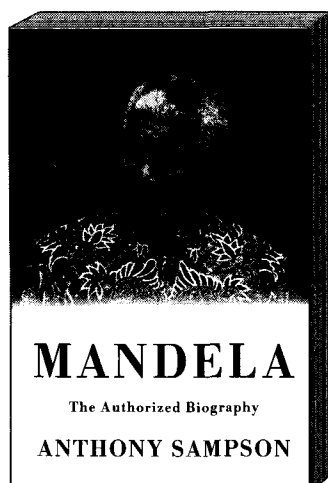
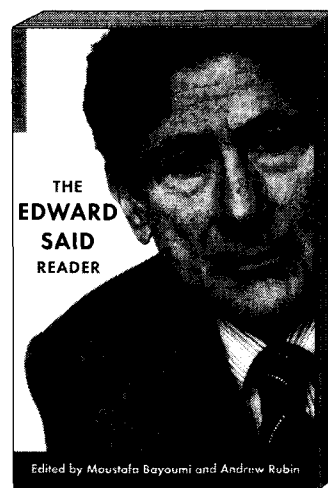
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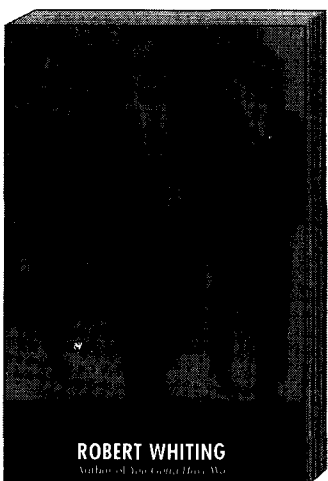
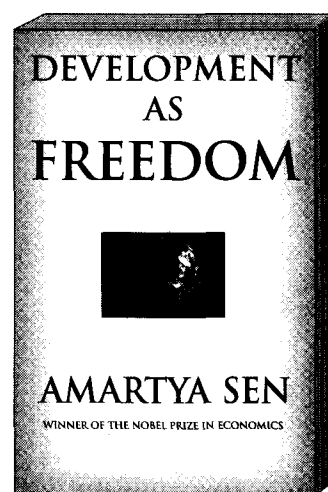
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"A new approach.... Refreshing, thoughtful, and human. Sen's optimism and no-nonsense proposals leave one feeling that perhaps there is a solution."

—*BusinessWeek*



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—*Time*

"A marvelous performance.... No feminist writer can match her for eloquence or energy;

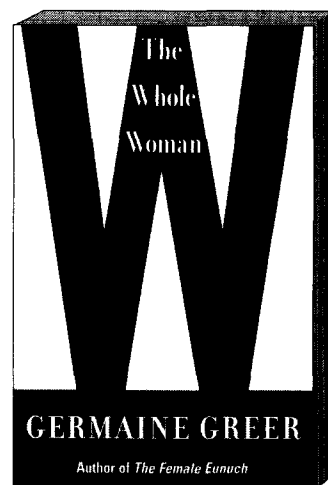
none makes [us] laugh the way she does."

—*The Washington Post*

"Her fresh voice and glorious presence strengthen all women."

—*The Boston Globe*

Author of *The Female Eunuch*



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seven features in the group, I was able to see four. And they made me sad. The subjects were somber enough, true, but my sadness came because this retrospective could do little more than return Zurlini to obscurity.

His talent need not be exaggerated in order to heighten the pity: he is not in the top rank of Italian directors. His range is astonishing, from the predictable neo-realism and existential suspension of the era to the sheerly political and the daringly symbolic, but his screenplays are not as consistently fine as his filmmaking. He was a director of audacity and—particularly—of vision. The first two minutes of *Family Diary*, which was shot by the

excellent Giuseppe Rotunno, establish Zurlini's impatience with assembly-line framing, his ability to see for himself yet without freakishness. His actors, notably Marcello Mastroianni in *Family Diary* and Alain Delon in *The Professor*, are totally subscribed to his films.

Three Zurlini films are available on video in America, and I hope they will be sought. But the odds must be that, after this retrospective, he will sink back into the shadows from which he and so many other talented others deserve to be rescued. Of course, there simply isn't room enough in the light for them all, but that fact doesn't make their obscurity less of a loss. ■

point, but also one of pragmatic importance: he wished to take into account the responses from others that would be generated by one's pursuit of military might. His immediate concern in the statement that I have cited was with Japan before the Second World War. Tagore was a great admirer of Japan and the Japanese, but he was very disturbed by the country's shift from economic and social development to aggressive militarization. He did not live to see the heavy sacrifices that were forced on Japan later, through military defeat and nuclear devastation (he died in 1941), but they would have only added to Tagore's intense sorrow. Yet the conundrum that he invoked, about the weakening effects of military power, has remained active in the writings of contemporary Japanese writers, perhaps most notably Kenzaburo Oe.

II.

Forgetting the moral and the prudential. India and the Bomb

By AMARTYA SEN

I.

WEAPONS OF MASS destruction have a peculiar fascination. They can generate a warm glow of strength and power that is carefully divorced from the brutality and the genocide on which the potency of the weapons depend. The great epics—from the *Iliad* and the *Ramayana* to the *Kalevala* and the *Nibelungenlied*—provide thrilling accounts of the might of special weapons, which not only are powerful in themselves, but also greatly empower their possessors. As India, along with Pakistan, goes down the route of cultivating nuclear weapons, the imagined radiance of perceived power is hard to miss.

But perceptions can deceive. It has to be asked whether powerful weapons in general, and nuclear armament in particular, can really be expected—invariably or even typically—to strengthen their possessor. An important prudential issue is involved here. There is the question of ethics, of course, and in particular the rightness or the wrongness of a nuclear policy. That important issue can be distinguished from the question of the practical

benefit or loss that a nation gains or suffers from a particular policy. We have good grounds to be interested in both questions, the moral and the prudential; but we also have reason enough not to see the two issues as disparate and totally delinked from each other. Our behavior towards each other cannot be divorced from what we make of the ethics of one another's pursuits, and the reasons of morality have, as a result, also a prudential importance. It is in this light that I want to examine the challenges of nuclear policy in the subcontinent in general and in India in particular.

Whether, or to what extent, powerful weapons empower a nation is not a new question. Indeed, well before the age of nuclear armament began, Rabindranath Tagore expressed a general doubt about the fortifying effects of military strength. If "in his eagerness for power," Tagore argued in his book *Nationalism* in 1917, a nation "multiplies his weapons at the cost of his soul, then it is he who is in much greater danger than his enemies." Tagore was not as uncompromisingly a pacifist as Mahatma Gandhi, and his warning against the dangers of alleged strength through more and bigger weapons related to the need for ethically scrutinizing the functions of these weapons and the exact uses to which they are to be put, as well as the practical importance of the reactions and counteractions of others. The "soul" to which Tagore referred, as he explained, includes the need for humaneness and understanding in international relations.

Tagore was not merely making a moral

THE LEADING ARCHITECT of India's ballistic missile program, and a central figure in the development of nuclear weapons, is Dr. Abdul Kalam, a scientist of great distinction. Kalam comes from a Muslim family, and has a very strong commitment to Indian nationalism. His philanthropic concerns are strong, and he has an impressive record of helping in welfare-related causes, such as charitable work for mentally impaired children in India.

Kalam expressed his proud reaction as he watched the Indian nuclear explosions in Pokhran, on the edge of the Thar desert in Rajasthan, in May 1998: "I heard the earth thundering below our feet and rising ahead of us in terror. It was a beautiful sight." It is rather remarkable that the admiration for sheer power should figure so strongly in the reactions of so kind-hearted a person, but perhaps the force of nationalism played a role here, along with the general fascination that powerful weapons seem to generate. The intensity of Kalam's nationalism may be well concealed by the mildness of his manners, but it was evident enough in his statements after the blasts ("for 2,500 years India has never invaded anybody") and in his unequivocal joy at India's achievement ("a triumph of Indian science and technology").

This was, in fact, the second round of nuclear explosions at the same site, in Pokhran. The first occurred in 1974, under the government of Indira Gandhi. At that time the whole event was kept under a shroud of secrecy, partly in line with the government's ambiguity about the correctness of the nuclearization of India's arsenal. While China's nuclearization clearly had a strong influence on the

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decision of the Gandhi government to develop its own nuclear potential (between 1964 and 1974 China had conducted fifteen nuclear explosions), the official Indian position was that the explosion in Pokhran in 1974 was strictly for "peaceful purposes," and that India remained committed to doing without nuclear weapons. Thus the first Pokhran tests were followed by numerous affirmations of India's rejection of the nuclear path, rather than any explicit savoring of the destructive power of nuclear energy.

IT WAS VERY different in the summer of 1998, following the events that have come to be called Pokhran-II. By then there was strong support for nuclearization from various quarters. This included, of course, the Bharatiya Janata Party (BJP), which had incorporated the development of nuclear weapons in its electoral manifesto, and led the political coalition that came into office after the elections in February 1998. While previous Indian governments had considered following the blast of 1974 with new ones, they had stopped short of doing so; but with the new—and more intensely nationalist—government the lid was lifted, and the blasts of Pokhran-II occurred within three months of its coming to power.

The BJP, which has built up its base in recent years by capturing and to a great extent fanning Hindu nationalism, received in the elections only a minority of Hindu votes, and of course an even smaller minority of total votes in the multi-religious country. (India has nearly as many Muslims as Pakistan and many more Muslims than Bangladesh, and its population includes also Sikhs, Christians, Jains, Parsees, and other communities.) But even with a minority of parliamentary seats (182 out of 545), the BJP could put together and lead an alliance of many different political factions, varying from strictly regional parties (such as the AIADMK, the PMK, and the MDMK of Tamil Nadu, the Haryana Lok Dal and the Haryana Vikas Party of Haryana, the Biju Janata Dal of Orissa, and the West Bengal Trinamool Congress of West Bengal) to specific community-based parties (including the Akali Dal, the party of Sikh nationalism), and some breakaway factions of other parties. As the largest group within the coalition, the BJP was the dominant force in the Indian government in 1998 (as it is in the present coalition government, following the new elections that had to be called in late 1999), which gives it much more authority than a minority party could otherwise expect to enjoy in Indian politics.

The BJP's interest in following up the 1974 blast by further tests, and in actu-



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ally developing nuclear weapons, received strong support from an active pro-nuclear lobby, which includes many Indian scientists. The advocacy by scientists and defense experts was quite important in making the idea of a nuclear India at least plausible to many, if not quite fully acceptable yet as a part of a reflective equilibrium of Indian thinking. As Praful Bidwai and Achin Vanaik put it in their well-researched and well-argued book *New Nukes: India, Pakistan and Global Nuclear Disarmament*, "The most ardent advocates of nuclear weapons have constantly sought to invest these weapons with a religious-like authority and importance—to emphasize the awe and wonder rather than the revulsion and horror—to give them an accepted and respectable place in the mass popular culture of our times."

Abdul Kalam's excitement at the power of nuclear explosions was not unusual, of course, as a reaction to the might of weapons. The excitement generated by destructive power, dissociated from any hint of potential genocide, has been a well-observed psychological phenomenon in the history of the world. Even the normally unruffled J. Robert Oppenheimer, the principal architect of the world's first nuclear explosion, was moved to quote the two-millennia old *Bhagavad Gita* (Oppenheimer's Sanskrit was adequate enough to get his *Gita* right), as he watched the atmospheric explosion of the first atom bomb in an American desert near the village of Oscuro on July 16, 1945: "the radiance of a thousand suns ... burst into the sky." Oppenheimer went on to quote further: "I am become Death, the shatterer of worlds."

That image of death would show its naked and ruthless face the following month in Hiroshima and Nagasaki (what Kenzaburo Oe has called "the most terrifying monster lurking in the darkness of Hiroshima"). As the consequences of nuclearization became clearer to Oppenheimer, he went on to campaign against nuclear weapons, and with special fervor against the hydrogen bomb. But in the experimental station in the desert, called Jornada del Muerto, which is translatable as "the Tract of Death", there was only sanitized abstractness firmly detached from any actual killing.

III.

THE THOUSAND SUNS have now come home to the subcontinent to roost. The five Indian nuclear explosions in Pokhran on May 11, 1998, and May 13, 1998, were quickly followed by six Pakistani blasts in the Chagai hills the following month. "The whole moun-

tain turned white," was the charmed response of the Pakistani government. The subcontinent was by now caught in an overt nuclear confrontation, masquerading as the further empowerment of each country.

These developments have received fairly uniform condemnation abroad, but they have been regarded with considerable favor inside India and Pakistan, though we must be careful not to exaggerate the actual extent of domestic support. Pankaj Mishra did have reason enough to conclude, in *The New York Review of Books*, two weeks after the blasts, that "the nuclear tests have been extremely popular, particularly among the urban middle class." But that was too soon to see the long-run effects on Indian public opinion. Also, the enthusiasm of the celebrators is more easily pictured on television than the doubts of the skeptics. Indeed, the euphoria that the television pictures captured on the Indian streets immediately following the blasts concentrated on the reaction of those who came out into the streets and rejoiced; but there were a great many people who took no part in the festivities, who were filled with doubt and anger and regret, who did not figure in the early television pictures. Their opposition found increasingly vocal expression over time.

As the novelist Amitav Ghosh noted in his extensive review of Indian public reactions to the bomb (he later expanded his observations and his arguments in his book *Countdown*), "the tests have divided the country more deeply than ever." It is also clear that the BJP, the main political party that chose to escalate India's nuclear adventure, did not get any substantial electoral benefit from the Pokhran blasts. The political result was quite the contrary, as the analyses of local voting since the nuclear explosions of 1998 tend to show. By the time India went to the polls again, in September 1999, the BJP had learned the lesson sufficiently to forego almost any mention of the nuclear tests in its campaign with the voters. And yet, as N. Ram, the political commentator and editor of *Frontline*, has cogently argued in his anti-nuclear book *Riding the Nuclear Tiger*, we "must not make the mistake of assuming that since the Hindu Right has done badly out of Pokhran-II, the issue has been decisively won."

Indian attitudes towards nuclear weaponization are characterized not only by ambiguity and moral doubts, but also by some uncertainty as to what is involved in making gainful use of these weapons. It may be the case, as several opinion polls have indicated, that public opinion in India has a much smaller inclination, compared with public opinion in Paki-

stan, to assume that nuclear weapons will ever be used in a subcontinental war. But since the effectiveness of these weapons depends ultimately on the willingness to use them in some situations, there is an issue of coherence of thought that has to be addressed here. Implicitly or explicitly, the eventuality of actual use has to be one of the scenarios that must be contemplated, if some benefit is to be obtained from the possession and the deployment of nuclear weapons.

To hold the belief that nuclear weapons are useful but must never be used lacks cogency. Indeed, such a belief may be a result of the odd phenomenon that the writer Arundhati Roy has called "the end of imagination." As Roy has observed, the nature and the results of an actual all-out nuclear war are almost impossible to imagine in a really informed way. This is how she describes the likely horror: "Our cities and forests, our fields and villages will burn for days. Rivers will turn to poison. The air will become fire. The wind will spread the flames. When everything there is to burn has burned and the fires die, smoke will rise and shut out the sun." It is hard to think that the possibility of such an eventuality can be a part of a wise policy of national self-defense.

IV.

ONE OF THE problems in getting things right arises from a perceived sense of the inadequacy of any alternative policy that would be entirely satisfactory and would thus help to firm up a rejection of nuclear weapons through the transparent virtues of a resolutely non-nuclear path (as opposed to the horrors of the nuclear route). This is perhaps where the gap in perceptions is strongest between the disgust with which the subcontinental nuclear adventures are viewed in the West and the ambiguity that exists on this subject in India (not to mention the support of the nuclear route that comes from the government, the BJP, and India's pro-nuclear lobby). It is difficult to understand what is going on in the subcontinent without placing it solidly in a global context.

Nuclear strategists in South Asia tend to resent deeply the international condemnation of Indian and Pakistani policies and decisions, because it does not take note of the precarious nuclear situation in the world as a whole. They are surely justified in this resentment, and they are also right to question the censoriousness of the Western critics of subcontinental nuclear adventures who fail to examine the ethics of their own nuclear policies, including the preservation of an established and deeply unequal nuclear hegemony, with very little

attempt to achieve global denuclearization. George Fernandes, the Defence Minister of India, told Amitav Ghosh: "Why should the five nations that have nuclear weapons tell us how to behave and what weapons we should have?" This was exactly matched by the remark of Qazi Hussain Ahmed, the leader of Jamaat-e-Islami (Pakistan's principal religious party), to Ghosh: "... we don't accept that five nations should have nuclear weapons and others shouldn't. We say, 'Let the five also disarm.'"

THE INQUIRY INTO the global context is indeed justified; but what we have to examine is whether the placing of the subcontinental sub-story within the general frame of the global story really changes the assessment that we can reasonably make of what is going on in India and Pakistan. To argue that their nuclear policies are deeply mistaken does not require us to dismiss the widespread resentment in the subcontinent of the smugness of the dominant global order. Those complaints, even if they are entirely justified, do not establish the sagacity of a nuclear policy that dramatically increases uncertainties within the subcontinent without achieving anything at all to make each country more secure. In South Asia, indeed, the safest country in which to live now is probably Bangladesh.

There are, I think, two distinct issues, which need to be carefully separated. First, the world nuclear order is extremely unbalanced, and there are excellent reasons to complain about the military policies of the major powers, particularly the five that have a monopoly over official nuclear status as well as over permanent membership in the Security Council of the United Nations. The second issue concerns the choices that other countries—other than the Big Five—face, and this has to be properly examined, rather than being hijacked by resentment of the oligopoly of the power to terrorize. The fact that other countries, including India and Pakistan, have ground enough for grumbling about the nature of the world order, sponsored and supported by the established nuclear powers without any serious commitment to denuclearization, does not give them any reason to pursue a nuclear policy that worsens their own security and adds to the possibility of a dreadful holocaust. Moral resentment cannot justify a prudential blunder.

There is also the issue of the economic and social costs of nuclearization, and the general problem of the allocation of resources. That issue is important, of course, even though it is hard to find out exactly what the costs of the nuclear pro-

grams are. The expenses are carefully hidden in both India and Pakistan. Even though it is perhaps easier to estimate the necessary information in India (given a greater need for disclosure in Indian politics), the estimates are bound to be quite rough. Recently C. Rammanohar Reddy, a distinguished journalist at the major daily *The Hindu*, has estimated that the additional cost of nuclearization of the Indian military is something around half a percentage of the gross domestic product per year.

This might not sound like much, but it is large enough if we consider the alternative uses of these resources. It has been estimated, for example, that the additional costs of providing elementary education for every child with neighborhood schools at every location in the country would cost roughly the same amount of money. The proportion of illiteracy in the adult population of India is still about 40 percent, and it is about 55 percent in Pakistan. And there are other costs and losses as well, such as the deflection of India's scientific talents toward military-related research, and away from more productive and more urgent lines of research, and also from actual economic production. The prevalence of secretive military activities also restrains open discussions in Parliament, and tends to subvert traditions of democracy and free speech.

Ultimately, however, the argument against nuclearization is not primarily an economic one. It is, rather, the increased insecurity of human lives that constitutes the biggest penalty of the subcontinental nuclear adventures. This question—the question of nuclear deterrence as a policy of national security—needs further scrutiny.

V.

WHAT OF THE argument that nuclear deterrence makes war between India and Pakistan less likely? Why would the allegedly proven ability of nuclear balance, which is supposed to have kept peace in the world, not be effective also in the subcontinent? I believe that this question can be answered from four different perspectives.

First, even if it were the case that the nuclearization of India and Pakistan reduces the probability of war between the two states, there would be a trade-off here between a lower chance of conventional war against some chance of a nuclear holocaust. No sensible decision-making can concentrate only on the probability of war without taking note of the size of the penalties of war should it occur. Indeed, any significant probability of the scenario

captured by Arundhati Roy's description of "the end of imagination" can hardly fail to outweigh the greater probability, if any, of the comparatively milder penalties of conventional war.

Second, there is nothing to indicate that the likelihood of conventional war is reduced by the nuclearization of India and Pakistan. Indeed, hot on the heels of the nuclear blasts, the two countries underwent a major military confrontation in the Kargil district in Kashmir. The Kargil conflict, which occurred within a year of the nuclear blasts of India and Pakistan, was the first military conflict of that size between the two states in nearly thirty years. Many Indian commentators have argued that the confrontation, which was provoked by separatist guerrillas coming across the line of control from Pakistan (in their view, joined by army regulars), was helped by Pakistan's understanding that India would not be able to use its massive superiority in conventional forces to launch a bigger war in retaliation, precisely because it would fear a nuclear holocaust. Whether or not this analysis is right, there is clearly substance in the general reasoning that the enemy's fear of nuclear annihilation can be an argument in favor of military adventurism without expectation of a fuller retaliation from the enemy. Be that as it may, the proof of the pudding is in the eating, and no matter what the explanation, nuclearization evidently has not prevented non-nuclear conflicts between India and Pakistan.

Third, the danger of accidental nuclear war is much greater in the subcontinent than it was in the cold war between the United States and the Soviet Union. This is not only because the checks and the controls are much looser in the arsenals of the subcontinent, but also because the distances between India and Pakistan are so small that there is little time for deliberation and discussion if a crisis were to occur and a first strike were feared. Also, the much discussed hold of fundamentalist jihadists within the Pakistani military, and the absence of democratic control in Pakistan, add to the fear of a sudden flashpoint.

Fourth, there is a need also to assess whether the peace that the world enjoyed with nuclear deterrence during the cold war was, in fact, predictable, and causally robust. The argument for the balance of terror has been clear enough for a long time. It was most eloquently expressed by Winston Churchill in his last speech to the House of Commons on March 1, 1955. His ringing words—"safety will be the sturdy child of terror, and survival the twin brother of annihilation"—have a mesmerizing effect; but Churchill himself did make exceptions to his rule. He also said

that the logic of deterrence "does not cover the case of lunatics or dictators in the mood of Hitler when he found himself in his final dug-out."

DICTATORS ARE NOT unknown in the world, even in the subcontinent; and at least partial lunatics can be found with some frequency in both India and Pakistan, judging by what some commentators write on the nuclear issue itself. Perhaps more importantly, we have reason to note that risks have been taken also by people with impeccable credentials for sanity and lucidity. To give just one example, and a rather prominent one: in choosing the path of confrontation in what has come to be called the Cuban Missile Crisis, President Kennedy evidently took some significant risks of annihilation on behalf of humanity. Theodore Sorenson, in a passage generally admiring of the president, put the facts thus:

John Kennedy never lost sight of what either war or surrender would do to the whole human race. His UN Mission was preparing for a negotiated peace and his Joint Chiefs of Staff were preparing for war, and he intended to keep both on rein... He could not afford to be hasty or hesitant, reckless or afraid. The odds that the Soviets would go all the way to war, he later said, seemed to him then "somewhere between one out of three and even."

Well, a chance of annihilation between one-third and one-half is not an easy decision to be taken on behalf of the human race.

We have to recognize, I think, that the peace of nuclear confrontation in the cold war resulted partly from luck, and may not have been preordained. To take *post hoc* to be *propter hoc* is a luxury that can be quite costly for charting our future policies in the nuclear (or in any other) field. We have to take account not only of the fact that circumstances are rather different in the subcontinent compared with what obtained during the nuclear confrontation in the cold war, but also that the world was actually rather fortunate to escape annihilation even in the cold war itself.

The dangers of extermination do not come only from lunatics or dictators. For this reason, too, we must conclude that the nuclearization of the subcontinental confrontations need not reduce the risk of war (either in theory or in practice), and it escalates the penalty of war in a dramatic way. The unjust nature of the world military balance does not change this crucial prudential recognition.

VI.

I COME NOW to a question of rather limited interest, but one which is asked often enough, particularly about India. Even if it is accepted that the subcontinent is less secure as a result of the tit-for-tat nuclear tests, it could be the case that India's own self-interest has been well served by the BJP-led government's nuclear policy. India has reason to grumble, it is argued, for not being treated as seriously as one of the largest countries in the world should be treated. There is unhappiness also in the attempt by some countries, certainly by the United States, to achieve some kind of a "balance" between India and Pakistan, whereas India is nearly seven times as large as Pakistan and must not be taken to be at par with it. A more appropriate comparison, it is argued, should be with China; and to this cause—along with other causes such as getting India a permanent seat in the Security Council—India's nuclear might could be expected to make a contribution. The subcontinent may be less secure as a result of the nuclear developments, but surely, it is argued, India did get some benefit.

How sound is this line of argument? I have some difficulty in pursuing this inquiry. Even though I am citizen of India, I do not really think I can legitimately inquire only into the advantages that India alone may have received from a certain policy, excluding the interests of others who were also affected. Still, it is possible to scrutinize the effects of a certain policy in terms of the given goals of the Indian government, including the attainment of strategic advantages over Pakistan and the enhancement of India's international standing, and ask the cold "scientific" question of whether those particular goals have been well served by India's recent nuclear policy. We do not have to endorse these goals to examine whether they have been better promoted by India's nuclear program.

There are good reasons to doubt that these goals have indeed been better served by the sequence of events at Pokhran and Chagai. First, India enjoys massive superiority over Pakistan in conventional military strength. Surely this strategic advantage has become far less significant as a result of the new nuclear balance. Indeed, since Pakistan has explicitly refused to accept a "no first use" agreement, India's ability to count on conventional superiority is now much reduced (along with increasing the level of insecurity in both countries).

In the Kargil confrontation, for example, India could not even make use of its ability to cross into the Pakistani-

administered Kashmir to attack the intruders from the rear, which military tacticians seem to think would have made much more sense than trying to engage the intruders by climbing steeply up a high mountain from the Indian side to battle the occupants at the top. This not only made the Indian response less effective and rapid, it also led to more loss of Indian soldiers (1,300 lives according to India's estimate, 1,750 lives according to Pakistan's estimate); and it added greatly to the expenses of the war conducted from an unfavored position (\$2.5 billion in direct expenses). With the danger of a nuclear outburst, the Indian government's decision not to countercross the line of control in retaliation was clearly right, but it had no real option in this respect, given the strategic bind that it had itself helped to create.

MOREOVER, THE FACT that India can make nuclear weapons was well established before the present tit-for-tat nuclear tests were conducted. Pokhran-I in 1974 had already made the point, even though the Indian official statements tried to play down the military uses of that blast a quarter of a century ago. After the recent set of tests, India and Pakistan's position seem to be much more evenly matched, at least in international public perception. As it happens, Pakistan was quite modest in its response. I remember thinking, in the middle of May 1998, following the Indian tests, that surely Pakistan would now explode a larger number of bombs than India's five. I was agreeably impressed by Pakistan's moderation in blasting only six, which is the smallest whole number larger than five. The government of India may deeply dislike any perception of parity with Pakistan, but it did its best to change a situation of acknowledged asymmetry into one of perceived parity.

Aside from perceptions, and considering only the scientific requirement for testing, Pakistan clearly had a greater case for testing, never having conducted a nuclear test before 1998. This contrasted with India's experience of Pokhran-I in 1974. Also, with a much smaller community of nuclear scientists, and a less extensive development of the possibilities of computerized simulation, the scientific need for an actual test may have been much greater in Pakistan than in India. While Pakistan was concerned about invoking the condemnation of the world community by testing on its own, the Indian blasts in May 1998 created a situation in which Pakistan could go in that direction with comparative impunity, without being blamed for starting any nuclear adventure. As Eric Arnett has

written, in the *SIPRI Yearbook 1999*:

In contrast to its Indian counterparts, Pakistan's political elite is less abashed about the need for nuclear deterrence. Military fears that the Pakistani nuclear capability was not taken seriously in India combined with a feeling of growing military inferiority after being abandoned by the USA after the cold war created an imperative to test that was resisted before May 1998 only because of the threat of sanctions. The Indian tests created a situation in which the Pakistani leadership saw an even greater need to test and a possible opening to justify the test as a response that was both politically and strategically understandable.

The thesis, often articulated by India's pro-nuclear lobby, that India was in a greater danger of a first strike from Pakistan *before* the summer of 1998, lacks scientific credibility as well as political plausibility.

NOR WAS THERE much success in getting recognition for India as being in the same league as China, or for its complaint that inadequate attention is paid to the dangers that India is supposed to face from China. Spokesmen of the Indian government were vocal on these issues. A week before the Pokhran tests in 1998, George Fernandes said in a much quoted television interview: "China is potential threat number one... The potential threat from China is greater than that from Pakistan." In the short time between the tests on May 11 and May 13, Prime Minister Vajpayee wrote to President Clinton to point to the Chinese threat as the motivation for the tests. This letter, which was leaked and published in *The New York Times*, did not name China, but referred to it in very explicit terms:

We have an overt nuclear weapon state on our borders, a state which committed armed aggression against India in 1962. Although our relations with that country have improved in the last decade or so, an atmosphere of distrust persists mainly due to the unresolved border problem. To add to the distrust that country has materially helped another neighbour of ours to become a covert nuclear weapons state.

As a result of the tit-for-tat nuclear tests by India and Pakistan, however, China had the opportunity to stand above India's little grumbles, gently admonishing it for its criticism of China, and placing itself in the position of being a subcontinental peacemaker. When President Clinton visited China in June 1998, China and the

United States released a joint statement declaring that the two countries would cooperate in non-proliferation efforts in the subcontinent. Mark Frazier's assessment of the gap between the government of India's attempts and its achievement in this field captures the essence of this policy failure:

Had it been India's intention to alert the world to its security concerns about China as a dangerous rising power, the tests managed to do just the opposite - they gave the Chinese officials the opportunity to present China as a cooperative member of the international community seeking to curb nuclear weapons proliferation. Far from looking like a revisionist state, China played the role of a status quo power, and a rather assertive one at that.

NOR DID THE explosion of the Indian devices advance the cause of India's putative elevation to a permanent membership of the Security Council. If a country could blast its way into the Security Council, this would give an incentive to other countries to do the same. Moreover, the new parity established between India and Pakistan after Pokhran-II and Chagai Hills also militates against the plausibility of that route to permanency in the Security Council; and this, too, could have been predicted. I do not, myself, see why it is so important for India to be permanently on the Security Council. (It may be in the interest of others for this to happen, given India's size and growing economic strength, but that is a different issue.) To be sure, the Indian government clearly attaches importance to this possibility, but then it would have been wiser to emphasize its restraint in not developing nuclear weapons despite its proven ability to do so, and also to use the asymmetry with Pakistan that existed before 1998, in contrast with the symmetry that was provoked—by the Indian government's own initiative—after Pokhran-II and Chagai.

Indeed, a scrutiny of Indian official perceptions reveals the extent to which the Indian government underestimates India's importance as a major country, a democratic polity, and a rich multi-religious civilization, with a well-established tradition in science and technology (including the cutting edge of information technology), and with a fast-growing economy that, with a little effort, could grow even faster. The Indian government's overestimation of the persuasive power of the bomb goes hand in hand with its underestimation of the political, cultural, scientific, and economic strengths of the country. There may be pleasure in official

circles at the success of President Clinton's visit to India and the favored treatment that it received in that visit compared to Pakistan, but the tendency to attribute that asymmetry to Indian nuclear adventure, rather than to India's large size, democratic politics, and growing industrial economy and technological capability, is difficult to understand.

VII.

IT IS EXTREMELY important, then, to distinguish between two problems, both of which have a bearing on nuclear policies in the subcontinent. First, the world military order needs a change, and in particular it requires an effective and rapid disarmament, particularly in its nuclear arsenals. Second, the nuclear adventures of India and Pakistan cannot be justified on the ground of the unjustness of the world order, since the people whose lives are made insecure as a result of these adventures are primarily the residents of the subcontinent themselves. Resenting the obtuseness of others is not a good ground for shooting oneself in the foot.

This does not imply, of course, that India or Pakistan has reason to feel happy about the international balance of power that the world establishment seems keen on maintaining, with or without further developments such as an attempted "nuclear shield" for the United States. Indeed, it must also be said that there is an inadequate appreciation in the West of the extent to which the role of the Big Five arouses suspicion and resentment in the developing world, including the subcontinent. This applies not only to the monopoly over nuclear armament, but also, on the other side, to the "pushing" of conventional, non-nuclear armaments in the world market for weapons.

As the Human Development Report 1994 (prepared under the leadership of the visionary Pakistani economist Mahbub ul Haq) pointed out, not only were the top five arms-exporting countries in the world precisely the five permanent members of the Security Council of the United Nations, but they were also responsible for 86 percent of all the conventional weapons exported between 1988 and 1992. Not surprisingly, the Security Council has not been able to take any serious initiative that would really restrain the merchants of death. It is not hard to understand the skepticism in India and Pakistan (and elsewhere) about the responsibility and the leadership of the established nuclear powers.

As far as India is concerned, these two policies—nuclear abstinence and the demand for a change in the world military

order—can be pursued simultaneously. Nuclear restraint strengthens rather than weakens India's voice. To demand that the Comprehensive Test Ban Treaty be redefined to include a concrete timetable for denuclearization may well be among the discussable alternatives. But making nuclear bombs, not to mention deploying them, and spending scarce resources on missiles and what is euphemistically called "delivery," can hardly be seen as sensible policy. The claim that subcontinental nuclearization would somehow help to bring about world nuclear disarmament is a wild dream that can only precede a nightmare. The moral folly in these policies is substantial, but what is also clear and decisive is the prudential mistake that has been committed. The moral and the prudential are, in fact, rather close in such a world of interrelations and interactions, for reasons that Rabindranath Tagore discussed nearly a hundred years ago.

Finally, no country has as much stake as India in having a prosperous and civilian democracy in Pakistan. Even though

the government of Nawaz Sharif was obviously corrupt in certain ways, India had no particular interest in undermining civilian rule in Pakistan, nor in seeing it replaced by military leaders. Also, the encouragement of across-border terrorism, of which India accuses Pakistan, is likely to be dampened rather than encouraged by Pakistan's economic prosperity and civilian politics. It is particularly important in this context to point to the danger of the argument, often heard in India, that the burden of public expenditure would be more unbearable for Pakistan, given its smaller size and relatively stagnant economy, than it is for India. This may well be the case, but the penalty that can visit India from an impoverished and desperate Pakistan in the present situation of increased insecurity is unsettling to contemplate. The enhancement of Pakistan's stability and well-being has prudential importance for India, in addition to its obvious ethical significance. Once again, the connection between the moral and the prudential, must urgently be grasped. ■

for dining, with choices to be made from a menu, and without any connection with lodging: this was truly new.

The modern association of gastronomy—defined by the Académie Française as "the art of good eating"—with French cuisine conferred a certain inevitability on the history of the restaurant. Where else but in Paris could restaurants have first surfaced? But Rebecca Spang wants to undermine this sense of inevitability. She reminds us that even English visitors to France in the eighteenth century worried that French food might ruin their health. Her account, she promises, will not be "linear, but emergent." She contests the hagiographical tone of much writing about French restaurants, and she aims to overthrow the conventional wisdom that the French Revolution gave birth to the restaurant by destroying the grip of the guilds on the market for prepared food.

What she offers instead is an individual "inventor," Mathurin Roze de Chantoiseau, the self-styled "author" of the restaurant. Like the other founders of the first restaurants in Paris, Roze de Chantoiseau got his start through the crown's system of selling privileges; he bought the right to serve as one of twelve cook-caterers following the Court. At first glance, this emphasis upon an individual might seem unconvincing as an explanation. Can something like a restaurant—a social phenomenon if ever there was one—really be attributed to the activity of a single individual, especially an individual who was neither the most famous nor the most successful of eighteenth-century restaurateurs? Spang focuses on Roze de Chantoiseau because his curious career epitomizes the connections between the restaurant and the growth of the market. He opened his first restaurant in 1766, but he also wrote tracts about the money supply and published an almanac of Parisian merchants and businessmen in which he cited himself as "the first Restaurateur." (He published the almanac as "Chantoiseau" and referred to his culinary establishment as "Roze.") From the very beginning, then, restaurants depended on their connection to marketing.

The first restaurateurs offered health and physical well-being rather than gastronomy. Advertisements for the early restaurants emphasized their ability to cater to those who suffered from weak, delicate, or debilitated chests. To succor them, the restaurateurs offered orange-flowered rice puddings, fresh fruits, eggs, and soft cheeses—foods familiar to readers of Rousseau as pastoral products uncontaminated by the excessive refinement of civilized cuisine. While traditional caterers cooked up mutton chops, spicy sausages, and rich pâtés, the restaurants

Raising Tables

By LYNN HUNT

The Invention of the Restaurant: Paris and Modern Gastronomic Culture by Rebecca L. Spang

(Harvard University Press, 325 pp., \$35)

RESTAURANT IS A French word that originally referred not to a place to eat, but to a restorative broth. One fifteenth-century recipe for a "restaurant" called for cooking a freshly killed capon in an alchemist's glass pot with sixty gold ducats or any other precious stone that the doctor might order for the occasion. As late as the middle of the eighteenth century, Diderot and d'Alembert's *Encyclopédie* used "restaurant" as a medical term, and offered brandy, chickpeas, and chocolate as examples. By the 1820s, however, the modern restaurant, with its menus, diners, and waiters, had become a regular feature in Paris. Foreign

visitors flocked to the famous ones to eat, to gawk, and to sample the national character that was supposedly revealed therein. Véry, Grand Vatel, and Trois Frères Provençaux commanded even more attention than their three-star counterparts today.

This social and cultural change did not sweep uniformly across the Western world. Restaurants of the modern type appeared first in Paris, and for many decades they remained a custom distinctly Parisian. International travelers to Paris in the 1840s still remarked that only Paris, and not London, New York, or Philadelphia, had restaurants. And the restaurant was more Parisian than French; in 1850 a meager one-third of the French *départements* boasted any kind of restaurant. True, travelers could rely on finding an inn at virtually every crossroads, no matter how dusty and bedraggled, and every inn served meals. But a freestanding location

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prepared pale or colorless foods that were distinguished by their fragility and their supposed simplicity. Yet when Rousseau visited one of the best-known Parisian restaurants in 1776 or 1777, he found it much too urbane for his tastes. He preferred naïve rural cuisine to the fine china, the splendid lighting, and the mirror-lined rooms of the city's restaurants.

By the early 1780s, restaurants had begun serving full meals in addition to restoratives. What distinguished them from the caterers or the *tables d'hôte* (a meal offered at a fixed time and price) was that they served at no set time, only by the dish, and according to a printed menu. The *table d'hôte* provided hearty fare on a regular schedule to those willing to converse with strangers (everyone ate together at one large table); the restaurant offered variety in hours and dishes, and a kind of intimacy or privacy. As Diderot wrote about Roze de Chantoiseau's restaurant, "everybody eats alone there, each in his own little cabinet."

A legal brief written on behalf of eight restaurateurs in 1784 explained the advantages of their establishments:

Unlike at a table d'hôte, you neither have the disagreement of waiting for a specific number of fellow eaters; nor of being required to arrive at a certain set time; nor of watching two warring gluttons snatch the morsel that you would, at least, have liked to see them share with you.

The eight petitioners wanted to be exempted from regulations drawn up in 1784 that set their closing hours the same as all other wine-sellers and food-sellers. In 1786, the high court in Paris agreed to their appeal and allowed them to stay open one hour later than the others.

Thus the diners' desire for individualized food service and the restaurateurs' discovery of standardized pricing came together, in a marriage of taste and commerce. Caterers who wanted to become restaurateurs re-decorated their dining rooms with more lavish appointments and turned some large spaces into series of cabinets or private rooms. The new emphasis on intimacy and privacy opened the restaurant to women, who had been almost entirely excluded from both cafés and *tables d'hôte*. Some restaurants reserved rooms especially for women.

IT WAS A new public space, certainly; but this public space had little to do, apparently, with "the public sphere" so richly analyzed in recent historical work, and even less to do with "public opinion," that new factor in eighteenth-century politics. The public sphere and

public opinion grew out of cafés, masonic lodges, and even aristocratic salons—but restaurant patrons showed little interest in newspaper reading, literary discussion, or politics. They went to restaurants to think about their own bodies and to ignore (or to pretend to ignore) other people, even while sitting right next to them and looking at the reflections of their neighbors in the glass.

The revolutionaries of 1789 tried to give eating in public a new political meaning. From the fraternal festival suppers of 1790 to Bonaparte's jubilant victory banquets, eating together seemed to define a new kind of political solidarity, whether republican or nationalist. During the Terror, nonetheless, when all dissent became dangerous, if not deadly, even fraternal

Revolution," she insists, "because of the decade's pervasive interest in the table as a place of possible solidarity, corruption, or final reckoning." Rather than examining restaurants themselves during the period, Spang tries to get at abstract cultural conceptions about eating. She analyzes at great length two political episodes that seem to pivot on dining: the king's arrest, during his attempted flight in 1791, while in the midst of eating a meal; and the assassination by a royalist of deputy Le Peletier de Saint-Fargeau at a restaurant in the Palais Royal. (Le Peletier had voted for the death of the king just a few hours before.)

Spang claims that both those incidents reveal a general cultural preoccupation with "the fundamental economic logic of



"That's right ... separate checks": A restaurant in Paris in 1789

meals came under suspicion. In a report to the National Convention, Bertrand Barère denounced them on behalf of the Committee of Public Safety. Meals should take place, he insisted, within the bosom of the family or under the aegis of the national government, not sponsored by neighborhood committees who might represent particular interests and not the general will. The local bean feeds might turn into a "saturnalia" of indiscriminate mixing of the sexes, corrupting patriots by giving more attention to food than to politics. Of restaurants, however, Barère said little.

Unfortunately, Spang herself says little about restaurants during the French Revolution, even though previous writers on the subject have traced the origin of this new kind of eating in public to the needs of the deputies sent to the Estates General in Versailles. Here her emphasis on avoiding a "linear" account seems to lead her into unproductive detours. "The restaurant looks like a product of the

restaurant going": after you eat, you have to pay up. The king fails to pay and never seems to understand the idea of paying (he does not realize that the free lunch of the monarchy is over); and the martyred deputy, thoughtful to the end, is killed just at the moment of settling accounts. This forced comparison reveals the shortcomings of Spang's method. Surely the reader would rather know what has happened to the social institution known as the restaurant than watch the historian scramble for crumbs of evidence of an abstract concern with notions of consumption, debt, and payment.

Was the number of restaurants and restaurant patrons increasing? Did the Jacobins go to restaurants, too? What happened to all those restaurateurs of the Old Regime? How was the transition made from serving perfumed rice puddings to offering complicated repasts that were lovingly detailed in every guide book, in Balzac's novels, in Daumier's caricatures? These questions seem not to be

asked by Spang, much less answered. Only the barest of clues are given. Dominique Février, the owner of the restaurant where Le Peletier was murdered, soon found himself arrested, charged with counter-revolutionary sympathies, and in jail, which was a dangerous place to be in those times. By late 1797, however, he not only had been released, he had also been granted a concession to run a snack bar in the corridors of the new legislative assembly called the Council of Five Hundred. Spang draws no conclusions from this story, and she tells the reader nothing about the fate of other restaurateurs. (Roze de Chantoiseau continued to ply his monetary schemes but seems to have dropped out of the restaurant business.) Yet she does not hesitate to infer cultural attitudes about markets, debts, and obligations from the question of whether Le Peletier was assassinated between courses or while paying his bill.

Spang is so determined to avoid a "linear" account that she ends up providing something like the two pieces of bread in a sandwich without the filling. On one side we have the orange-flavored rice creams and pastel foods of the Old Regime, and on the other side we have the proliferation of restaurants, the first gastronomic maps of France, and the *poulet à la Marengo* of the early nineteenth century. What holds them together and makes the combination distinctive? Spang asserts that sometime around 1800 "the restaurant became a real cultural and social institution, an easily identified landmark." To explain how this happened, she employs a kind of watered-down post-structuralist approach: the restaurant became a "real" cultural and social institution, she argues, as a result of gastronomic literature.

Writing about food, especially the *Almanach des gourmands* of Grimod de la Reynière (1803-1812), the ancestor of all the Gault-Millaut, Michelin, and Zagat guides, "gave the restaurant new prominence," Spang asserts, and made it significant in its own right. Grimod aestheticized and depoliticized the art of eating. What matters to Spang is not the number of restaurants, the people in them, or the food served; what matters is "the restaurant's trope" of cornucopia. Thanks to travelers' accounts, popular theater, and the newspapers, which all propagated this trope, the restaurants became identified with Paris and Paris became the city of dazzling culinary display. It turns out, in Spang's story, that restaurants were not invented by Roze de Chantoiseau, after all, but by "this abundant literature" about them.

Spang recognizes that her analysis of the restaurant as a literary effect might

put off some readers. "To write of restaurant culture in terms of tales told, retold, and rewritten is not," she assures us, "to belittle or downplay the place of restaurants in nineteenth-century France." Restaurants were like myths, she insists. Their allure depended on the stimulation of mystery and excitement, and their stories could never be about desires satisfied completely. Menus incorporated these paradoxes: the menu was both what the restaurant served and what it promised to serve. In fact, menus always listed more than they could reasonably deliver. But even the marking of dishes that were unavailable reinforced the desires created by the restaurant. "On any given day, the menu's handwritten emendations might diminish the sense of cornucopia, but the overall effect—the fantasy of meals that might have been—was only strengthened."

Since Spang focuses so much on fantasy, on desire deferred, and on literary effects, it comes as a little surprise that her final chapter is called "Hiding in Restaurants." Nobody mistook the prime purpose of the restaurant's *cabinets particuliers*. A government official wrote in 1824 that it was a "well-known fact" that private rooms were "at the very least, theaters of 'gallantry.'" Yet, unlike workers' cabarets or *guinguettes*, the restaurants aroused few suspicions of overt political activity. Spang insists on the restaurants' lack of political associations: "in the aftermath of the Revolution, the restaurant became a depoliticized space." Yet she has to admit that the regime's opponents caricatured King Louis Philippe most often as a pear, and as Gargantua devouring France; and also that his regime fell in 1848 after a nation-wide banquet campaign for political reform. The fact is that alimentary and gastronomic metaphors penetrated political life in the 1830s and 1840s much more thoroughly than in the 1790s, when Spang makes so much of them.

LURKING BEHIND Spang's account, with its emphasis on depoliticization and its literary causation, are some familiar present-day assumptions: that the market matters more than politics; that individual exploits deserve more attention than collective social trends; that seeing and being seen drive social life; that new social and cultural institutions are invented as much by media hype as by people behaving in new ways. Spang can hardly be blamed for these views, especially as it is not entirely clear whether they are her views or simply the ones that she finds everywhere she looks in France from the 1770s to the 1840s. And she must be credited with seizing upon a fascinating aspect of modern life and trying to expli-

cate its mysteries. Spang rightly senses that fundamental changes were at work, though she tries to cast them as transformations of the meaning of taste rather than of political power or social standing. Grimod de la Reynière, the originator of the restaurant guide, "made restaurant going into an affair of 'taste' alone," an explicitly apolitical "spectacle." But taste lost its social distinctiveness, Spang claims. "Taste, like sight or hearing, was henceforth an innate faculty that was only minimally linked to social rank or status."

I would suggest a different narrative of the change that restaurants represented, one based on Spang's own evidence. With the proliferation of restaurants, Paris the city took the place once occupied by the king in French identity. Under the Old Regime, hundreds of spectators—perhaps even thousands—purchased tickets to watch the king dine in state. Eating in public was an act of sovereignty. In 1783, Grimod de la Reynière staged his own semi-public dinner in Paris, which he allowed hundreds of spectators to observe. Invitations were issued in the form of burial announcements, and rumors flew that a black-draped coffin had served as the centerpiece. He might have been foretelling the end of the regime; but his own future lay in inventing the restaurant guide rather than organizing similar upper-class festivities.

After 1789, the revolutionaries experimented with fraternal banquets as a replacement for the royal spectacle of dining, but restaurants proved to be a more lasting alternative. It is significant that Napoleon did not revive the *grand couvert* of the monarchy, even though he brought back noble status and a regal court. During his reign, apparently, restaurants became firmly installed as features that virtually defined the urban landscape, and his police left them largely alone. Restaurants continued to multiply in the 1820s, 1830s and 1840s, and no French ruler dreamed of competing with them.

SPANG RIGHTLY INSISTS that the invention of the restaurant depended on market forces, and she correctly argues that restaurants were not explicitly political. Still, all this notwithstanding, the transformation that brought about restaurants finally was political, even if it was not political at the level of party politics, of ultra-royalist against Bonapartist, republican against Orleanist, and so on. The invention of the restaurant marked the supplanting of the king (even when there was still a king) by society itself. Physical closeness to the king's body no longer defined the "in group"; an individual now had to exhibit taste, which meant knowing the social rules and being

seen at the right places—in short, finely calibrating one's social status. The opera, the theater, and even the boulevard offered occasions for seeing and being seen, but nothing like the full-length mirrors lining the walls of the fashionable restaurants. In this new world, social status had to be continually earned, invested, and cultivated. Taste had not become "innate," much less "only minimally linked to social rank or status." As any Balzac novel shows, taste had become the new passport to social distinction.

Although we now take them for granted as fixtures of modern life, restaurants have lost none of their fascination. The recent flap over the \$160 prix fixe at Alain Ducasse's new restaurant in New York shows that the themes laid out by Spang remain pertinent. She is especially astute when she notes that writing about restaurants never dwells on what happens behind the scenes in the kitchen, on the transmutation of "dirty, hairy, slimy, or feathered products of the market into neatly balanced pyramids of fruit and tidy

columns of minuscule print." Even when the kitchen juts out into the dining area, the patrons never see heads chopped off chickens, or feathers plucked from ducks, or blood draining from a slaughtered veal. The restaurant experience, as Spang maintains, takes place in an illusionistic space that plays upon and only partially satisfies our desires. But it does this not because the food is never as good as promised, but because social life would cease if desire could not be endlessly reignited. ■

The unlikely career of the Second Commandment.

The People of the Image

By ELLIOTT HOROWITZ

I.

IN NOVEMBER 1894, Bertrand Russell, writing to his fiancée, Alys Pearsall Smith, from Paris, commented on "a Jewish friend" of her sister Mary whom he had met the previous day at tea. Although Russell had "quite liked" his learned interlocutor, who was "a director of the Louvre or something similar," the young philosopher could not resist adding that he "had the Jew's money-grabbing instinct, and cared about art only as a profession." But his future sister-in-law had fewer reservations about Jews whose connection with art was primarily professional. In 1891, Mary Pearsall Smith had scandalized her family (wealthy Philadelphia Quakers who had moved to England) by abandoning her husband and two young daughters and running off to Italy with the young Harvard graduate and art connoisseur Bernard Berenson. Russell, who in his 1894 letter to Alys expressed the rather mean-spirited conviction that her sister's relations with Berenson were "almost purely mercenary," clearly had mixed feelings about the Lithuanian-born luminary (Berenson, né Valvrojenski) who would later become his brother-in-law. "Mariechen was perpetually comparing me to B.B.," he wrote to his fiancée some weeks later, "which one cannot but regard as a compliment from her, whatever he may really be."

Bertrand Russell was hardly unique in his unconcealed suspicion towards Jews who were professional art experts. In 1933, the year of Hitler's ascent to power,

another Englishman, hiding (apparently) behind the pseudonym H. S. Ashton, acerbically contrasted Jewish limitations in

THE ARTLESS JEW:
MEDIEVAL AND MODERN
AFFIRMATIONS AND
DENIALS OF THE VISUAL
by Kalman P. Bland
(Princeton University Press,
280 pp., \$35)

JEWISH ICONS: ART AND
SOCIETY IN MODERN
EUROPE
by Richard I. Cohen
(Pennsylvania State University
Press, 358 pp., \$50)

DREAMS OF SUBVERSION
IN MEDIEVAL JEWISH ART
AND LITERATURE
by Marc M. Epstein
(Pennsylvania State University
Press, 184 pp., \$40)

JEWISH TEXTS ON THE
VISUAL ARTS
by Vivian B. Mann
(Cambridge University Press,
272 pp., \$70)

ANTISEMITIC HATE SIGNS
IN HEBREW ILLUMINATED
MANUSCRIPTS FROM
MEDIEVAL GERMANY
by Ruth Mellinkoff
(Center for Jewish Art, the
Hebrew University of Jerusalem)

the visual sphere with their alleged domination of the art market. "In view of their own inability to produce work of enduring

artistic nature," he wrote, "it might almost be said that Jewish interest in fine art is purely commercial." Describing, in *The Jew at Bay*, what he believed was a typical Jewish art dealer, Ashton claimed that "if you lead him into conversation he will . . . explain how minute is the detail in Dutch pictures and [also] the state of the picture market at any time during the past hundred years." To this he added, with unconcealed ambivalence: "Truly enigmatic is the Jew."

Bernard Berenson was certainly one of the most enigmatic of modern Jews (or former Jews) to involve himself in the art world. He was eminently knowledgeable about both the details of paintings and the determination of their prices. As late as 1938, Berenson—who had abandoned Judaism (before entering Harvard) and then Episcopalianism (by the age of twenty-five) in favor of Catholicism (in order to better understand, he later recalled, the great art that it had inspired)—was still able to present the Jewish "problem" with art in essentially racial terms. "The Jews, like their Ishmaelite cousins the Arabs, and indeed perhaps like all pure Semites (if such there be)," he wrote in the year of the *Anschluss*, "have displayed little talent for the visual, and almost none for the figure arts. To the Jews belonged the splendors and raptures of the word." Of course, Berenson was himself a wonderful illustration of the Jew's vaunted verbal virtuosity—and of his infamous familiarity with the intricacies of the art market.

Kalman Bland, who describes his book as an investigation of "the social origins, intellectual moorings, and cultural implications of Jewish aniconism," adduces Berenson's comments, but he does not

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seem to know of Russell's letter or Ashton's *Jew at Bay*, both of which see the Jew's notorious obsession with business as inhibiting his aesthetic sensibility—a view that, as Bland does point out, was advanced by Richard Wagner. In *Judaism in Music* (published, anonymously, in 1850), Wagner argued that “the sensory capacity for sight belonging to the Jews was never such as to allow them to produce visual artists; their eyes are preoccupied with matters much more practical than beauty and the spiritual content of things in the phenomenal world.”

This argument, as the late Jacob Katz noted, fell upon ready ears. Even some contemporaries who felt that Wagner's assertions were too extreme agreed with their racist underpinnings. “The Jewish nation, like the whole tribe of the Semites to which it belongs, was never artistically gifted,” conceded the musicologist Eduard Krüger. “But that is not to say,” he continued, “that Jews cannot achieve this or that lucky success, especially when they have lived for a long time in close contact with deeply gifted peoples who possess a highly developed culture.”

THIS SORT OF racial discourse about Jewish artistic ability, which Bland traces back to Voltaire, continued into the twentieth century, when it found both Jewish and non-Jewish adherents. Prominent among the latter was Werner Sombart, whose controversial study *The Jews and Modern Capitalism* (1911), in which ancient Judaism is described as having “banished all pictorial art from its cult,” is cited by Bland. But he neglects to mention Sombart's confident assertions concerning “the Jew's love for the inconcrete, his tendency away from the sensuous, [and] his constant abiding in a world of abstractions.” These alleged characteristics prompted Sombart to ask rhetorically whether it was “only accidental that there are far fewer Jewish painters than literary men or professors.” Some three decades later, in *Anti-Semite and Jew*, Sartre argued similarly that the Jew's talent for abstract matters was offset by his weakness in matters of sensibility.

Alongside the racist discourse about Jewish aniconism—the claim that Jews are people of the book and not people of the image—there was (and there is) the theological discourse. It focuses on the Second Commandment, to which Bland devotes a good deal of attention. He takes issue with the platitudes of such popularizers as Max Dimont, who preposterously asserted in his best-seller *God, Jews, and History* (1962) that “not until the nineteenth century, when Jews began disregarding the Second Commandment the way Christians had been doing for two

thousand years, did they, too, begin to develop painters, sculptors, and architects.” Nine years later, in *The Indestructible Jews* (a title reflecting the post-1967 hubris), Dimont found it “regrettable that overzealous rabbis, who saw their duty and overdid it, interpreted the Second Commandment to include the ban on making images of God but a ban on all pictorial art.”

Even serious intellectuals such as Cynthia Ozick have spouted a similarly simplistic line. “Where is the Jewish Michelangelo, the Jewish Rembrandt, the Jewish Rodin?” she asked in 1971. “Is it possible that a whole nation cannot produce a single painter?” Ozick conceded somewhat condescendingly that there had indeed been artists, or rather artisans, among her coreligionists in the past, “decorators of trivial ceremonial objects, a wine cup here, a scroll over there”; but she claimed that “they never tried their hand at wood or stone or paint.” Like Dimont, Ozick had no doubt as to the explanation: “Thou shalt have no graven images”—the Second Commandment—prevented them.” Her opinion seems to be that nothing except a divine taboo could come between the Jews and world-class achievement in any area. Anyway, if scores of eminent Hebrews ranging from King David to Moshe Dayan managed to avoid being inhibited by the Tenth Commandment, it is not clear why the Second Commandment should have proven so insurmountable.

IN THE NINETEENTH century, Jewish apologists had a more elegant way of phrasing this argument. “Paganism sees its God, Judaism hears him”: so wrote the great German-Jewish historian Heinrich Graetz in 1846, caustically alluding, I would argue, to the heavily visual orientation of (what he thought of as) the neo-pagan religion based in Rome. This puritanical mistrust of the visual image did not prevent Graetz from having his own portrait painted by one of the leading Jewish artists of the nineteenth century, Solomon J. Solomon, who also painted Queen Victoria, and whose decorative panels adorn London's Royal Exchange and the House of Lords. When Solomon was invited, late in the nineteenth century, to write an article on Jewish art, he replied that he “could more easily write an apology for its non-existence,” implying that he did not regard even his own portrait of the German-Jewish historian as a work of “Jewish art.”

Solomon published a pessimistic essay titled “Art and Judaism” in the *Jewish Quarterly Review* in 1901. (It is unfortunately omitted in Vivian Mann's useful collection of Jewish texts on art.) In his essay, the painter proposed “to show why

Israel has no art.” Like Graetz, Solomon posited a sharp dichotomy between the attitudes of Judaism and paganism to the visual image, but he was more explicit in his objection to the neo-paganism of the Roman Church, whose God, he claimed, “is almost obscured by the Madonna.” In the Protestant (as opposed to Anglican) Church, Solomon discerned “only a comparatively small Pagan element.” The Protestant, he felt, “was too Hebraic to suffer a sensuous form of worship in his churches,” a position with which Solomon himself (in contrast with his younger contemporary Berenson) was clearly in sympathy.

IN THAT SAME year Martin Buber, who was then only twenty-three, penned a provocative essay (it appears in Mann's collection) in which he was moved to ask: “Is Jewish art possible today?” Buber's unequivocal reply was “a clear and strong . . . No.” National art, he asserted, required both “a homeland out of which it develops” and a “unified community of people . . . for which it exists,” neither of which had yet been delivered by the fledgling Zionist movement (though Buber was confident that they would be). Still, if true Jewish art was not yet possible, there were “Jewish artists” in his day.

One of these was Lesser Ury (1861-1931), to whom Buber's essay was dedicated. Another was the graphic artist Hermann Struck (1876-1944), who was soon to receive a letter from Buber warmly praising his landscapes of Palestine. “Apparently your Jewish head has seen the inner being of our people,” Buber wrote to Struck in 1904, “so that it appears to us in your Palestinian landscapes of the Jewish earth.” The Jewish head meets the Jewish earth and produces Jewish Art. Wagnerian Zionism! A year earlier, in fact, in his introduction to *Jüdische Künstler*, an illustrated volume of essays (including his own piece on Ury) featuring six modern Jewish artists, Buber had explicitly endorsed Wagner's explanation of Jewish artistic limitations in terms of “racial characteristics.”

The impact of Buber's overtly racist view of Jewish art is evident in the statements on the subject by a wide variety of his contemporaries. Struck himself, who was an Orthodox Jew, told an interviewer in 1912 that “Jewish art may best be described as that which distinctly belongs to Jews and cannot be effected by non-Jews.” Yet at least one of his Jewish contemporaries felt that his own work, insofar as it was executed outside of Palestine, was not (and could not be) authentically Jewish. “German, Russian, or English art, even when produced by a Jew, and when picturing Jewish scenes, is Jewish only

incidentally. Essentially it remains German, Russian, or English." So wrote David De Sola Pool, the London-born rabbi of New York's Sephardic Shearith Israel synagogue, the oldest in the United States, in an essay in 1917 titled "Palestine and the Jewish Dispersion."

This English clergyman in New York, who had recently become president of the city's Board of Rabbis, saw authentic Jewish art as emerging, as had the Wagnerian Buber, only from the necessary combination of blood and soil. He therefore contended that the Berlin-born Struck, who had executed a famous portrait etching of Herzl (it is reproduced in Richard Cohen's important book) was nonetheless best described as a "German etcher with intense Jewish sympathies." As fate (or the God of Abraham, Isaac, and Jacob) would have it, Struck migrated to Palestine in 1923, and spent the last two decades of his life in Haifa. But Pool, who was described by the journalist Dorothy Thompson (whom he met en route to the London Zionist Congress of 1920) as "the handsomest man I ever laid eyes on," continued to sermonize to his fellow Sephardim on Central Park West until his retirement in 1956.

In his essay on "Palestine and the Jewish Dispersion," Pool asserted that prior to the founding of the Bezalel Institute by Boris Schatz in Jerusalem in 1906 "there was no Jewish art in the true sense of the term." In *Jewish Icons*, Richard Cohen quotes extensively from Schatz's flowery manifesto upon the establishment of Bezalel, and devotes some very fine pages to the Zionist embrace of Jewish art in the early years of the twentieth century. The first joint exhibition of Jewish artists took place in Basel at the Fifth Zionist Congress of 1901, and it sought, as Cohen argues, both to "arouse a sense of national pride in Jewish achievement" and, more didactically, to "reconnect the Jew with a lost sense of aesthetics."

Yet not all those who linked the renewal of Jewish art with the awakening of Jewish national consciousness were territorial Zionists. One important exception

was the pioneering anthropologist and folklorist Samuel Weissenberg (1867-1928). And the less overtly nationalistic *Ausstellung jüdischer Künstler* (Exhibition of Jewish Artists) that opened in Berlin in 1907 included modern painting and sculpture side by side with ceremonial art and other Jewish artifacts, and gave clear primacy to the former. Sixty painters and twelve sculptors from both Europe and Palestine were represented, and as Cohen notes, "the exhibition placed artists whose themes were of a universal nature, like Camille Pissarro and Jozef Israels,

more sharply over time. In 1938, Cecil Roth, in *The Jewish Contribution to Civilization* (an Oxford don's response to the terrifying events on the Continent), found it appropriate to inform his readers that Pissarro, "one of the founders of the New School [of Impressionism], was a Jew," and that Israels, whom he lauded as "the most significant figure in Dutch art since the seventeenth century," was instrumental in bringing to Holland "the spirit of the Impressionists." Roth made no mention of such modern artists as Kaufmann, Struck, or Maurycy Gottlieb,

implying that their work, which focused on Jewish themes, constituted less of a contribution to "civilization." Yet Kaufmann's painting *The Rabbi's Visit* had been acquired by Vienna's Imperial collection; Struck had etched portraits not only of Herzl but also of Ibsen, Nietzsche, Freud, and Einstein; and the Galician Gottlieb, who in 1876 won a prize in Munich for his painting *Shylock and Jessica*, was later recognized by his teacher Jan Matejko as "the most hopeful disciple of Polish art," a hope that was dashed by his early death.

Those artists were later included in the landmark volume edited by Roth, *Jewish Art: An Illustrated History*, which first appeared in Hebrew in 1957, and was published in an augmented English edition four years later. The working definition of "Jewish art" adopted for that volume (as well as

for the revised edition that appeared posthumously in 1971) was "the artistic production of persons, however influenced, professing the Jewish religion or of Jewish stock." This neat definition ignored an objection that had been raised by Stephen Kayser, of New York's Jewish Museum in 1953, that "the accident of birth may make an artist Jewish, but this fact alone does not permit us to characterize his works as Jewish." Kayser proposed that "Jewish art" be defined in terms of subject matter ("art applied to Judaism").

But this too raised problems, especially of an aesthetic nature. As Harold Rosenberg observed: "Though art may be char-



Maurycy Gottlieb, "Self-portrait as Ahasuerus," 1876

together with those who concentrated almost uniquely on Jewish themes, like Isidor Kaufmann." Kaufmann (1853-1921), who was born in Transylvania and then moved to Vienna, sought, as Cohen writes, to uncover "the inner spirit of the East European Jews in their daily life and spiritual pursuits"; but he also attempted, as the artist himself wrote, "to make its traditions and institutions ... accessible to gentiles as well."

The distinction between Jewish artists whose themes were universal and Jewish artists whose themes tended to be more narrowly Jewish (or what would later be considered "too Jewish") manifested itself

acterized by its subject matter, subject matter does not characterize it as art." Rosenberg, rather eccentrically, proposed defining Jewish art by its style. I would agree instead with Richard Cohen's suggestion that Jewish art is best defined as "art which reflects the Jewish experience." This would better align Jewish art with such notable contributions to civilization as Jewish cooking and Jewish humor. A historical definition is possible, but a spiritual definition (which operates weirdly like a racial definition) is trouble.

II.

NOTWITHSTANDING THE numerous and complicated connections between art and Jewish experience, Cohen rightly notes that "the visual dimension of Jewish life has often been overlooked in the study of the Jewish past," which has been dominated (and perhaps even terrorized) by texts. Still, more might have been said about the seminal contributions of such figures as Alfred Rubens and Cecil Roth, both of whom served as presidents of the Jewish Historical Society of England, and both of whom did much to make Jewish historical study a more visually oriented discipline. Cohen's volume, together with a spate of recent exhibition catalogues (including one, which he edited with Mann, on Europe's "Court Jews") and such imaginative monographs as those by Marc M. Epstein and Ruth Mellinkoff, will certainly contribute to redressing the traditional imbalance between texts and images in the study of Jewish history.

A turning point of sorts occurred in 1967, with the publication of L. A. Mayer's *Bibliography of Jewish Art* (with over 3,000 entries), Alfred Rubens's *History of Jewish Costume* (with over 300 illustrations), and the facsimile edition of the medieval manuscript known as the Bird's Head Haggadah. The Haggadah's appearance was applauded by the great art historian Meyer Schapiro for having "united our interest in Jewish history and our love of art." Schapiro, who was apparently speaking on behalf of his co-religionists, was careful to refer to their "love of art" rather than to their oft-questioned talent for visual representation. But it can hardly be denied that enthusiasm for something is no less a part of its cultural history than its production.

The bizarre illustrations of the "Bird's Head" liturgy for the seder on Passover were executed in German Gothic style around the year 1300; and they showed, according to Schapiro, "that Jewry then could not escape the strong impress of the surrounding milieu; it accepted willingly a part of the Christian culture alien to its

own past." He cited the bird's head that is enigmatically placed on Jewish figures in many of the manuscript's illustrations as an example of this melding of different symbolic worlds. The head, Schapiro suggested, was that of an eagle, following the identification of the Jews in the book of Exodus as God's fledglings, whom He had carried out of Egypt on "the wings of eagles." But he also saw it as having possibly carried another, more contemporary meaning: the eagle's image was one of the insignias used by the German emperor of the Holy Roman Empire during the period when the Haggadah was produced. "The two connotations of the eagle's head—the Jews as God's fledglings and as the protected subjects of the emperor—are not incompatible," asserted Schapiro.



Bird's Head Haggadah, Germany, circa 1300

"Like language, pictorial imagery abounds in metaphors, and the same figure may carry several meanings."

Other scholars discerned in the birds' heads the dark impact of medieval anti-Semitic imagery—in the sharp beaks, which they saw as exaggerated versions of the hooked "Jewish noses" that appear in northern European Christian art, or in the pig-like ears, which were to be found on most of the beak-nosed Jews of that Haggadah. Although Bezalel Narkiss made no mention of these ears in the essay that he contributed to the facsimile edition of the Bird's Head Haggadah, he was eventually persuaded by Heinrich Strauss's later suggestion that the pigs' ears were adopted by Jewish artists from the anti-Semitic masks used in medieval Christian drama.

In her new study, Ruth Mellinkoff has gone a step further, seeing in these strange

ears proof that the thirteenth-century manuscript "must have been illustrated by a Christian artist, who used them as anti-Semitic attributes." This, of course, raises not only the question of whether the Bird's Head Haggadah and other similarly illustrated manuscripts should be considered "Jewish art," but also a host of other questions. "Why," asks Mellinkoff in her concluding remarks, "should Christian artists have bothered to insert hate signs if they were not to be seen by Christians?" They did so, she reasonably suggests, in order to "please themselves by expressing their hatred."

Mellinkoff also raises the more serious question of how it was possible that medieval Jewish patrons and scribes accepted such anti-Semitic illustrations. To this she

replies lamely (and ungrammatically) that they "may have looked and overlooked elements of anti-Semitic Christian iconography that they did not recognize and did not comprehend." Moreover, she adds (no more grammatically) that "they may have looked and did not see certain motifs and attributes, such as pigs' ears," which evaded, she notes, even such distinguished modern scholars as Meyer Schapiro.

Although Mellinkoff is much concerned with the subject of hatred, she fails to discuss the subject of self-hatred. If the noses and the ears of the bird-headed figures do indeed reflect anti-Semitic images, surely it is not unthinkable that these images were internalized by Jewish text illuminators. Medieval Jews, we must remind ourselves, had considerably less invested in a physically attractive image of themselves than do, for example, their ferociously fit and expensively exercised Cali-

fornian descendants, among whom Mellinkoff resides.

Mellinkoff might have also consulted the superbly annotated translation by David Berger of the *Nizzahon Vetus*, an anti-Christian polemical work composed in late-thirteenth-century Germany, and thus remarkably close in time and place to the illuminated manuscripts that she discusses. Its anonymous Jewish author reported that "the heretics ask: Why are most Gentiles fair-skinned and handsome while most Jews are dark and ugly?" He suggested two replies, neither of which disputed the aesthetic claims attributed to the Christians. The second is especially worth quoting: "One can respond by noting that Gentiles are incontinent and have sexual relations during the day, at a time when they see faces on attractive pictures [an allusion to the story of Jacob's sheep in Genesis 30]; therefore they give birth to children who look like those pictures." Another case, one might say, of life imitating art.

Kalman Bland, the second half of whose book is devoted to the Middle Ages, where he is professionally most at home, does discuss the passage from the *Nizzahon Vetus*, and he cites also other medieval Jewish authors, such as Maimonides, who asserted that looking at images during intercourse would affect the appearance of resulting progeny. Yet Bland's presentation of the polemical passage is somewhat timid. Whereas its medieval author implicitly acknowledged that most Gentiles were "fair-skinned and handsome while most Jews are dark and ugly," Bland cites the passage selectively, omitting the more striking (and more painful) contrast between "handsome" Gentiles and "ugly" Jews.

This is unfortunate, because the trope of Jewish ugliness, applied especially to the (circumcised) males of the species, is historically linked, I think, with the claim that Jews are aesthetically challenged. Nathaniel Hawthorne, when visiting London in 1856, was a dinner guest of the city's Lord Mayor David Salomons, who was Jewish; and at whose table Hawthorne also met the mayor's brother and sister-in-law. He was struck by the woman's "wonderful hair, Jewish hair" and felt that her nose "had a beautiful outline, though I could see that it was Jewish too." Her husband, however, was something else altogether. "But, at the right hand of this miraculous Jewess," wrote Hawthorne in his *English Notebooks*, "there sat the very Jew of Jews ... he was the worst, and at the same time, the truest type of his race ... and he must have been circumcised as much as ten times over. I never beheld anything so ugly and disagreeable, and preposterous, and laugh-

able, as the outline of his profile." In sum, Hawthorne reported, "it is as hard to give an idea of this ugly Jew, as of the beautiful Jewess." One understands better why Dorothy Thompson was so taken by the fine features of Rabbi Pool.

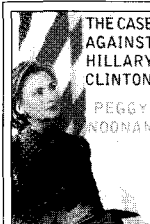
III.

IF MELLINKOFF TENDS to see in northern European Hebrew illuminated manuscripts the subversion of Jewish images by Christian artists, Marc Epstein's equally suggestive study of animal motifs in Jewish art deals with a very different sort of subversion. Unlike Schapiro (whose essay on the Bird's Head Haggadah he curiously fails to mention), Epstein clearly prefers a model of successive, rather than simultaneous, metaphorical meanings that Jews "appropriated" from (rather than shared with) the surrounding Christian environment. "Though animal iconography may have been stylistically or representationally modeled after depictions found in the [medieval] bestiaries," he writes, "once appropriated by Jews, it could not possibly have borne the same symbolic valences it did in contemporary Christian art."

Epstein similarly stresses "the transgressive boldness" of what he sees as "Jewish appropriation of the image of the suffering and persecuted unicorn" in an early-fourteenth-century illuminated Pentateuch. The unicorn hunt, Epstein notes, served in Christian iconography to symbolize the Passion of Jesus. Its use in Jewish manuscript illumination, therefore, is to be seen as "the medieval equivalent of Chagall's *White Crucifixion*"—a work that self-consciously draws upon, and inverts, the oppressor's cultural tradition.

Yet many scholars of the bestiary tradition have observed that the unicorn was hardly used exclusively as a religious symbol in medieval art. In such works as the *Physiologus*, compiled in third-century Alexandria, and Honorius of Autun's *Speculum ecclesiae*, composed in the twelfth century, the mythic unicorn is seen as the most challenging of all beasts to capture, a feat that cannot be accomplished without resorting to a magical ruse. As Honorius wrote, it is "a very wild animal, so wild, in fact, that only a virgin can capture it. When the animal sees her, it comes to her, sits on her lap, and lets itself be taken." He added that "the unicorn is Christ, and the horn growing out of the center of its forehead symbolizes the invincible strength of the Son of God."

Still, as the British scholar John Cherry has recently stressed, "the secular interpretation of the unicorn myth in the Middle Ages was just as strong as the reli-



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gious,” and consequently, if a late medieval lady is shown cradling the head of a unicorn in her lap, “one cannot be sure whether the triumph of religious or secular love is being celebrated.” As Cherry rightly remarks, it is precisely this beguiling ambiguity that makes the unicorn “one of the most fascinating of all mythical beasts.” Thus the unicorns that appear in pre-modern Jewish art should be seen as reflecting no more than a shared sense of the unicorn as the wildest and most elusive of beasts, rather than what Epstein chooses to see as a “transgressive” appropriation of the “unicorn as Christ” motif.

THE DEGREE TO which the unicorn could symbolize the fierce beast *par excellence* was demonstrated by Rudolf Wittkower in his study of late-medieval illuminated Marco Polo manuscripts. He pointed to a scene in an early-fifteenth-century French codex purportedly illustrating the traveler’s description of the Indian Kingdom of Eli, which teemed with lions and other wild beasts. The medieval artist interpreted the passage by showing a lion, of course, as well as a fox, swan, a boar, and a bear—and, as Wittkower noted, “most conspicuously in the center, a unicorn.” This despite the fact that unicorns were not mentioned in the text that the artist was illustrating! Rather than attributing religious significance to the image, Wittkower wisely suggested that “the artist not unexpectedly thought of the unicorn” when attempting to translate into tangible visual language the generic term “wild beasts.”

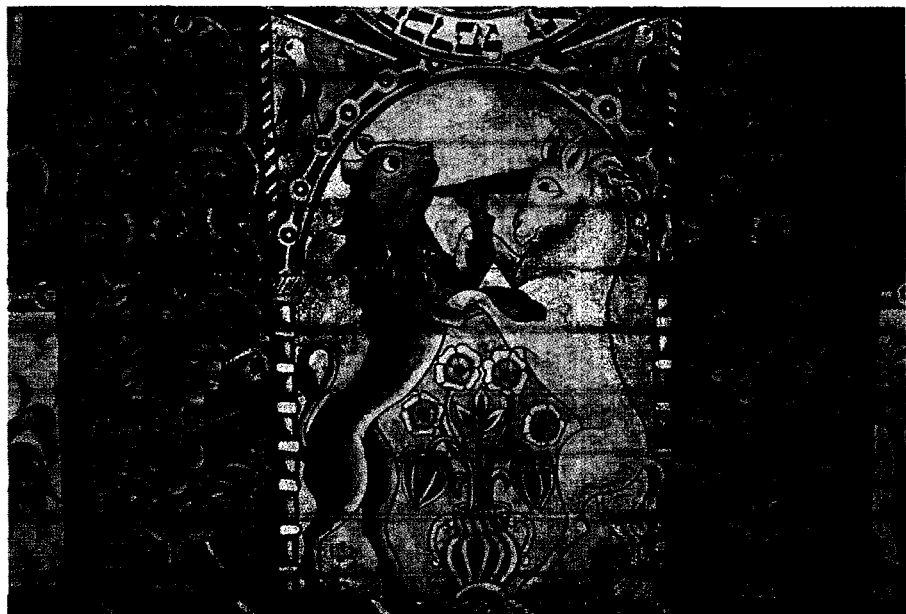
Epstein would have done well to consult Wittkower before writing about the ceiling illustrations that once graced the wooden Galician synagogue of Hodorov (now in Ukraine). It was built in the middle of the seventeenth century, and restored early in the eighteenth century. In one of the scenes on this remarkable ceiling, a rampant unicorn and a rampant lion are locked in either embrace or battle, with the former’s horn suggestively meeting the latter’s lips. Epstein is surprisingly certain that the two beasts are engaged in dramatic battle, with the unicorn, symbolizing the Jewish “Messiah son of Joseph” (a Jewish appropriation, he claims, of the unicorn as Jesus son of Joseph) fighting “the eschatological war with the nations, symbolized by the lion.” Even if the scene is a messianic one, however, it need not symbolize war between Israel and the nations. It could just as well allude to the messianic visions of Isaiah, in which the lion and the lamb would one day be miraculously pacified. Paraphrasing Wittkower, it might be suggested that although Isaiah failed to include the pacified unicorn in

his eschatological visions, the anonymous master of the Hodorov ceiling inserted it on his own as the fierce beast *par excellence*.

Moreover, although the lion and the unicorn may have been yoked together in the Galician synagogue for the first (but not last) time in Jewish art, the two beasts were frequent partners in the visual world of late medieval and early modern Europe. Perhaps best known is the series of six late-fifteenth-century tapestries (currently in the Cluny Museum in Paris) woven in the southern Netherlands and known collectively as “the Lady with the Unicorn,” in which a lion and unicorn face each other from opposite sides of the lady. When James VI of Scotland ascended to the throne of England in 1603 as King

Ukrainian synagogue: “Is not the unicorn necessary to the very existence of the lion, is not each opposite kept in stable equilibrium by the opposition of the other?” The mythic struggle between the two creatures served for him as a presciently powerful metaphor of the bloody Great War then being waged in Europe, “where both the lion and the unicorn are gone mad. . . . And without rhyme or reason they tear themselves and each other, and the fight is no fight, it is a frenzy of blind things dashing themselves and each other to pieces.”

ELSEWHERE ON THE synagogue’s ceiling appears another potentially charged symbol, a double-headed eagle. Unlike the other eagles, single-headed or double-headed, that had



Lion and Unicorn, Hodorov Synagogue, 1642

James I, and came to compose the first royal arms of the Stuart dynasty, he combined the Scottish unicorn with the lion of England—in embrace, of course, rather than in combat. This dual image later became the model for the arms of the Rothschild family.

Edmund Spenser, in *The Fairie Queene*, alluded to the medieval legend whereby the “imperial” lion cleverly outsmarted the “prowd rebellious” unicorn by having him ram his “precious horne” into a tree trunk. In the popular nursery rhyme, first recorded in 1709 and later quoted by Lewis Carroll in *Through the Looking Glass*, “the lion and the unicorn were fighting for the crown,” but it was the latter who beat the former “all around the town.” In 1915, D. H. Lawrence opened his essay “The Crown” with that famous rhyme’s opening couplet, and posed the following question, which may also be quite relevant to the scene of the two beasts in embrace on the ceiling of the

already appeared on a wide range of Jewish ritual objects (including Torah ornaments and Hanukkah menorahs, throughout Central and Eastern Europe), the Hodorov eagle grasps a live hare in each of its claws. As Meyer Schapiro noted, even in the Middle Ages Jews could incorporate imperial eagles into their iconographic traditions. But who are the hares? Epstein convincingly links them with the hunted hares that appear from the fifteenth century in the pages of illustrated Haggadahs, especially those produced in German-speaking countries, as a mnemonic device for the order of blessings to be recited at the Passover seder, and which scholars have also seen as symbolizing the Jews pursued by their oppressors. The five blessings, which in Hebrew form the acronym “YKHNHZ,” could be punningly pronounced as “jagen hase” and be illustrated with a hunting scene.

In a pioneering and often ignored article titled “The Illustrated Haggadah,”

published in 1965, Cecil Roth pointed to a curious shift between the hare hunt in the Prague Haggadah of 1526 and the illustrated Haggadah published in Augsburg eight years later. "In the first engraving, the hounds are seen driving the hares into the net," he noted, whereas in the second "the hares are beyond this, having apparently managed to find a way under it" to escape their pursuers. "It almost seems," Roth added, "as though the legendary mnemonic *Jahknehaz* has now been turned into an allegory of the pursuit and escape of the righteous." A decade later Yosef Hayim Yerushalmi went a step further, suggesting that "that the two successive representations ... together comprise an allegory of the persecution and salvation of the Jewish people." I prefer Roth's "escape" to Yerushalmi's "salvation." The Jews of Reformation Germany were acutely aware of having, at least temporarily, evaded their pernicious predators, but they were certainly not so sanguine as to think of themselves as "saved"—any more than Bugs Bunny, who premiered in 1940 in the animated film *Wild Hare*, ever thought of himself as having been saved from his nemesis, Elmer Fudd. (I will return to Bugs Bunny and the Jewish Question.)

EPSTEIN ADMIRABLY TRACES the Jewish visual identification with the hunted hare back to the late Middle Ages, noting that Esau (arguably Elmer's ancestor) described in Genesis as an outdoorsman and a hunter, is depicted in the early-fourteenth-century illuminated manuscript from southern Germany known as the Schocken Hebrew Bible as returning from his hunt with a hare over his shoulder. Esau had been associated in Jewish tradition first with Rome and then with Christianity, and Epstein is clearly justified in seeing this scene as "a sort of 'iconographic exegesis' linking Esau's hunt with contemporary historical circumstances." Yet he overstates the matter considerably when he refers to Esau's hare as "an indigenously medieval Jewish motif." Epstein's own notes refer not only to two medieval Christian manuscripts (one as early as the fifth or sixth century) in which this visual motif may be found, but also to the twelfth-century Byzantine mosaics in the Cathedral of Monreale in Sicily.

Hardly less overstated is his misleading claim that "the hare had a negative meaning for medieval Christians." George Ferguson observed, in his *Signs and Symbols in Christian Art* (1954), that the hare could serve as a symbol not only of "lust and fecundity," but also of those who put their hope of salvation in Christ. An important image that Epstein overlooked,

discussed some sixty years ago by Wittkower, is that of the "eagle on hare," a prime example of which appears on an eleventh-century Byzantine marble relief still on display in the British Museum. There two eagles shown in profile standing on hares face an eagle in the frontal position struggling with, and clearly overpowering, a twisted snake. As Wittkower wrote: "Just as the serpent stands for the devil, the hare stands for the quick course of human life." Since Jesus, symbolized by the eagle, vanquishes the devil, "the sign of salvation can appear over the symbol of man." He also called attention, in a note, to an eagle standing on a hare in a late-twelfth-century Armenian New Testament which early in the last century was in Lemberg (now Lvov)—less than a hundred kilometers, I would add, north of the Hodorov synagogue.

EPSTEIN NOTES THAT medieval Christian bestiaries "deemed the hare's sex to be ambiguous, and its mode of reproduction ... strange." It might be added that the widespread notion of the hare's bisexuality dates back to such classical authors as Plutarch and Philostratus, and was later echoed by the twelfth-century Spanish-born Bible commentator Abraham ibn Ezra. In the seventeenth century, the learned Englishman Sir Thomas Browne cited "the vulgar opinion" that "every hare is both male and female," an opinion with which he disagreed only partially. "We ... do allow," he wrote in his *Pseudodoxia Epidemica*, "that hares may exchange their sex, yet this we conceive doth come to pass but sometimes," but not with any regularity "or annual alteration, as is presumed." Three centuries later, it may be added, the creators of Bugs Bunny periodically presented him in drag, beginning in 1941, when he impersonated Carmen Miranda in *What's Cookin', Doc* through 1958, when he appeared as Red Riding Hood in *Now Hare This*. (The growing cultural conservatism of the American public seems to have brought an end to the rabbit's era of cross-dressing.)

Epstein might have placed greater stress on the hare's association with venery and reproductive virtuosity. Thomas Browne saw the biblical prohibition of the hare's flesh as having been rooted in the vices that it symbolized, "that is, not only pusillanimity and timidity from its temper" and "usury from its fecundity," but also "from this mixture of the sexes, unnatural venery and degenerate effemination." Both the hare's legendary fecundity and its "unnatural venery" made it a popular source of fertility enhancers over the centuries. In his sixteenth-century work on natural magic, for example, Giovanni

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della Porta recommended ingesting a hare's "womb and curd" to make a woman fruitful, and its testicles to increase a man's potency.

His *Magiae naturalis* appeared not long after the Prague and Augsburg Hagadahs, in which fleeing hares were used to symbolize the Jewish people. Since European Jews had for centuries been often acutely aware of the differences between their reproductive ideals and those of their Christian neighbors, both the fleetness and the fecundity of the hare made it a natural object of identification for them. Jews were also sometimes seen by others as similar to hares in their sexual enthusiasm. An Englishman who travelled in Holland during the mid-seventeenth century memorably described its Jewish men as "most black, full of hair, and insatiably given unto women."

The hare-grasping imperial eagle on the ceiling of the Hodorov synagogue is seen by Epstein as a "resurfacing of the same anti-Christian polemic" that he discerned in Jewish images of Esau in the thirteenth and fourteenth centuries. This, despite the verse from Deuteronomy circling the image, which describes God's protection of Israel as akin to that of an eagle carrying its young upon its broad wings. Rejecting the possibility that the image is thus one of "fawning flattery" to the Empress Maria Theresa, Epstein prefers the opposite extreme, suggesting rather speculatively that the eagle "would certainly" have reminded Hodorov's Jews of the prophet Obadiah's portentous words to Edom, later identified with Christendom: "Should you nest high as the eagle... even from there I will pull you down—declares the Lord." In Epstein's esoteric reading, "just as the golden crown on the eagle's head is a decoy to distract attention from the hares in the eagle's cruel talons, so is the verse that accompanies the image a decoy."

Perhaps I have been fooled by the decoys, but I am not certain that the eagle's talons are quite so cruel. The Deuteronomic verse surrounding the image would seem to suggest that the eagle is lifting the hares in order to rescue them from danger. Just as the lion and the unicorn elsewhere on the same ceiling may be seen as locked in embrace rather than battle, so too the crowned eagle, whether divine or imperial, may be rescuing the hares (from Esau's descendants) rather than pouncing upon them. As Meyer Schapiro commented, "the two connotations of the eagle's head—the Jews as God's fledglings and as the protected subjects of the emperor—are not incompatible," for like language, "pictorial imagery abounds in metaphors, and the same figure may carry several meanings."

IV.

THE CONFLATION OF iconographic traditions is something that Richard Cohen discusses in one of the early chapters of his book, in connection with the woodcuts in Johannes Pfefferkorn's *Libellus de Judaica Confessione*, which appeared in Germany in 1508. The woodcuts depict the Jewish ceremonies of Rosh Hashanah and Yom Kippur. Cohen demonstrates how Pfefferkorn, who was born Jewish but converted to Christianity with his wife and children at the age of thirty-six, combines realistic portrayal of ritual activity with the older visual motif of covering the eyes of the Jews in order to symbolize their stubborn blindness to the truths of Christianity.

Cohen slips, surprisingly, in asserting that the flagellation scene on Yom Kippur eve, described by Pfefferkorn in the accompanying text, was merely a figment of the latter's imagination, and that he had "concocted this entire ritual, farcically relating how the Jew falls to his knees... and is subsequently whipped thirty-nine times with a belt by his neighbor." That this was hardly a figment of Pfefferkorn's imagination may be readily discerned by consulting the laws of Yom Kippur in the two standard codes of Jewish law, the fourteenth-century *Turim* and the sixteenth-century *Shulkhan Arukh*.

The ritual, as practiced in Belorussia late in the nineteenth century, was memorably described by the Zionist leader Shmaryahu Levin in his autobiography. As a child, Levin "saw grown-up Jews stretch themselves out on the floor" of the synagogue on the eve of Yom Kippur

while Lazar the psalm-sayer (who was the same as Lazar the bath attendant) stood over them with leathern thongs and lashed them unmercifully... The whipping was done systematically: one stripe on that part of the anatomy which we submitted to the lash in *cheder* [that is, to the buttocks], then two on the upper part of the back... I was still more astonished when I saw the victim get up from the punishment, and throw a few coins in the plate held out by Lazar. It was surely a marvellous thing to pay for being lashed.

I myself have been offered (but declined) the privilege of being whipped, with something resembling a shoelace, while visiting the ritual bath in my Jerusalem neighborhood on Yom Kippur eve. One of these years I hope to bring Professor Cohen along, so that he can atone for his error.

One of the best chapters in *Jewish Icons* deals with the phenomenon of rabbinical

portraits and their iconicity, beginning with the seventeenth century. As Cohen notes, "the first portraits... that have come down to us are of Sephardic and Portuguese figures, often coming from a [marrano] heterodox tradition, in which... paintings of saints and other visual images were customary, and from Amsterdam, where individual and collective portraits of guild members were highly popular items." By the nineteenth century, the demand for such portraits, especially as mementos of deceased rabbis, had moved east to ultra-Orthodox circles in Central Europe. In one striking instance, the Hungarian rabbi Judah Aszod (1796-1866), who refused to be painted or photographed in his lifetime, was dressed up in his Sabbath finery after his death by some enthusiastic disciples, and photographed propped up in a chair with a large Talmudic tractate in his hands. The photograph was quickly reproduced and sold to the late rabbi's admirers.

Some two decades later, the cult of the portrait spread to the nascent Zionist movement, focusing on the figure of the Anglo-Jewish philanthropist Moses Montefiore. In 1884, the Warsaw Zionist society She'erit Israel proposed to print large numbers of Montefiore's portrait in honor of his hundredth birthday the following year, with the proceeds going toward the establishment of a settlement in Palestine in his honor. As Cohen observes, using Montefiore's portrait as a means of spreading the Zionist idea, and of raising money for its cause, reflects the degree to which "Jewish society had integrated the visual dimension into its cultural behavior and was predisposed to securing portraits of its heroes." He adds also that "rabbinic portraits had paved the way for this development."

ANOTHER INDICATOR THAT the visual element had been integrated into Jewish cultural activity was the Anglo-Jewish Historical Exhibition in 1887, which was mounted at the Royal Albert Hall and three other locations in London. Cohen devotes a fine chapter to it. The exhibit, which was organized by Joseph Jacobs and Lucien Wolf, included nearly 3,000 items—historical documents, manuscripts, portraits, ceremonial objects, and other mementos of Jewish life. Cohen quotes Jacobs, a pioneering ethnographer and a historian, who saw the exhibit as confirming that Jews "were men, not merely theologians." He also draws attention to an editorial in the *Jewish Chronicle* that commented on the "goodly number of Gentile celebrities who showed their friendliness to all that interests Jews by their sympathetic presence." The editorial described the exhibi-

tion as having been “calculated to remove something of the mystery which somehow seems . . . to environ all that is Jewish.” Art could be conscripted to the problematic enterprise of proving Jewish normality, or promoting the myth of it.

This would also occur with the establishment in Jerusalem of the Bezalel Institute. One of its most celebrated objects, before which its founder Boris Schatz often had himself photographed with distinguished guests, was the huge oil painting *Wandering Jew* by the Polish-Jewish painter Samuel Hirszenberg (1865-1908). The picture had been exhibited in Lodz and Paris to critical acclaim before it was brought to Jerusalem. Cohen’s comments on the picture (less popular with the Israel Museum’s recent curators than it was with Schatz) are worth quoting at length:

Hirszenberg’s *Wandering Jew* starkly brings together the tradition of Polish realism in art and a Jewish portrayal of the endless struggle with Christianity. Seen in the center of two long aisles of crosses . . . is a Jew wearing his loincloth. Gazing starry-eyed, he is trying to emerge from the valley of death—to escape the fate of the other Jews, whose dead bodies are strewn naked on the ground. The *Wandering Jew*, a Christ-like figure, has avoided the fate of Jesus on the cross, but the fate of his people has been perilous . . . His penetrating gaze, the look of a madman, reveals to the onlooker that he has seen moments of terror and destruction, wandered through the wreckage of Jewish history, and has escaped only physically. He leaves the dark, eerie field as a solitary figure, with no possessions and without a clear sense of the future.

Hirszenberg’s *Wandering Jew* who has managed to escape the wreckage of Jewish history is somewhat reminiscent of the hunted hares in medieval manuscripts and early printed editions of the Passover Haggadah.

THE HARE AS a symbol of the Jewish people made its way to the ceiling of the Hodorov synagogue, but it did not stop there. The eagle and the hare which appear there in tandem (drawing perhaps on the “eagle over hare” motif in Byzantine and Armenian religious art of the eleventh and twelfth centuries) have carried their joint voyage into the final decades of our own century. They appear together on one of the most striking

Magnificat

for Leah

Her soul opened, but slowly,
a late bloom of thunder stirring
at the edge of the rainstorm. Then
lightning hissed across the stone floor

and she spoke to what stood there:
mirroring her, off-center at first,
then advancing across the threshold,
whole. Here was a girl pouring olive oil

from a stone jar into a cruet.
Pass through me into Time,
were the words attributed
to her, later, when the nature

of the summons was clear. But
she’d said, I magnify. She was
with child and the child grew
into her answer. Impossible being,

conceived first in her mind
as she poured fluid from one
jar into another. As the one
homely god poured rain onto

the dry earth and the other
writ larger and larger in the
pages of the Book, magnifying
her as the vessel, never the choice.

Carol Muske

ing illustrated pages of David Moss’s justly celebrated Haggadah, begun in Berkeley and completed in Jerusalem during the 1980s.

On the very same page in which the hunted hares appeared, as a mnemonic device, on such famous editions of the Haggadah as those published in Prague and Augsburg, Moss placed four rows of panels, each depicting hares in the clutches of various eagles which served as the symbols, or coats of arms, of historic enemies of the Jews. Moving from the eagles on the coins of Antiochus Epiphanus, Vespasian, and Hadrian on the top panel, Moss inserted (Jewish) hares in the clutches of eagles drawn from the papal seals of Innocent III and Clement IV on opposite sides of the second panel, both flanking an eagle from the coat of arms of the city of Trent (the site of a notorious blood libel in 1475), which holds a hare in its beak. The third row depicts, from left to right, the Polish coat of arms, the Czarist imperial eagle, and the historic seal of the city of Auschwitz. In the right panel of the final row appears an early

Reichsadler, in its center the Nazi emblem, but on the far left, in the final panel, appears a large hare. It has managed to escape.

In his commentary appended to the facsimile edition of his extraordinary work, Moss notes that “this page seems to be the most controversial one of my Haggadah.” The American-Israeli artist (whom I came to know during basic training in the Israeli army) informs us that “Israelis tend to react harshly to the identification of the Jew as the helpless hare,” whereas American Jews “seem to stare at the last blank circle, slightly uncomfortable about their future destiny under the protection of the proud bald eagle.” Moss does not mention the Hodorov synagogue’s ceiling in his commentary, though he told me that it was one of the influences upon his controversial “eagle and hare” page.

But I suspect that the final hare who miraculously manages to escape also owes something to the Bugs Bunny films which Moss, who was born in Dayton, Ohio, in 1946, undoubtedly saw as a child. In the year of his birth, Warner Brothers released *Hare Remover*, in which Elmer Fudd sought unsuccessfully to perform scientific experiments on Bugs, and a year earlier they had released *Herr Meets Hare*, in which “Buggsenheimer Bunny” is pitted against Hermann Goering. Any remaining doubts about the Brooklyn-accented Wabbit’s implied ethnic identity were probably dispelled by his candid interviews in *A Hare Grows in Manhattan* (1947) and *What’s Up, Doc* (1950), in which he spoke of his childhood on New York’s Lower East Side, during which he studied piano and music, but also honed his survival instincts when frequently hounded by the neighborhood dogs.

So can the Bugs Bunny cartoons be considered Jewish art? Not if we follow Cecil Roth’s definition of Jewish art: “the artistic productions of persons, however influenced, professing the Jewish religion or of Jewish stock.” For, despite being released by the Jewish Warner Brothers and produced primarily in Leon Schlesinger’s studio, many were directed by such righteous gentiles as Tex Avery and Chuck Jones. Nor would Stephen Kayser’s definition—“art applied to Judaism”—bring them into the fold. But if we accept (as I think we must) Richard Cohen’s suggestion that Jewish art is best defined as “art which reflects the Jewish experience” then Bugs Bunny may be confidently considered a Hebrew Hare. ■

PARIS DIARIST

Strike Out

A COUPLE OF YEARS AGO, IT was the truckers, the airline pilots, the baggage handlers, the subway staff, and the train conductors. Last fall, it was the bus drivers, the schoolkids (bless 'em) and (again) the truckers. This time around, France got the full treatment: farmers, coach operators, driving instructors, building contractors, barge owners, taxi drivers, refuse collectors, roadside recovery personnel, ambulance drivers, and, of course, truckers all took up the sacred flame of protest.

STRIKES, DEMONSTRATIONS, AND walkouts are a recurring fact of life in France. Farmers routinely dump tons of rotting vegetables on the roads and trash government offices. Train drivers regularly leave millions of commuters stranded. Truckers barricade motorways, blockade ports, and spark frenzied bouts of panic buying. Even the police are partial to the occasional work stoppage. Ever since 1789, the French have believed in their God-given right to protest, and if they don't go quite as far these days, it is largely because they don't have to: any halfway sensible French government is rightly terrified of the power of the street.

IT DOES NOT MUCH MATTER THAT THE French state can't be held responsible for the sudden, massive hike in world oil prices that prompted the current round of strikes. Or, for that matter, that it's not to blame for the squeeze on truckers' profits prompted by merger mania among Europe's leading supermarket chains. It is one of France's many charming paradoxes that its people spend half their time railing about the state's all-pervasive meddling in their lives—and the other half turning to the government, in voluble indignation, for a helping hand. Of course, the French state is hated and incompetent, but surely it should be able to do something about natural disasters like floods, fires, tempests, and—why not?—soaring fuel prices.

TO UNDERSTAND WHY, YOU HAVE TO recognize that *l'état* is France and France is *l'état*. It is the guarantor of national

order and identity, the glue that holds the nation together. Where Britain and the United States opted for free trade and economic liberalism over the last century, France turned to the protection of the state. As Charles de Gaulle famously put it when founding France's postwar republic, for France "there can be no security, no freedom, no efficiency without the acceptance of great discipline under the guidance of a strong state." And so the national state is everywhere in France, in schools and on trains, in the mayoral office of the tiniest village, in the post office and on the telephone. It disregards political swings, manifesting itself in a myriad of small rules and directives—and in the functionaries who implement them.

THE FRENCH COMPLAIN CEASELESSLY about the interminable bureaucracy, the countless forms they must fill out to get anything from a cell phone to an apartment, from maternity pay to a doctor's prescription, from automobile insurance to a new television. The main French social security form, required to claim any kind of benefit, including a refund on medical bills, contains 29 different subsections. But as much as the French resent their Big Brother-style bureaucracy, when the cold world outside begins to intrude, they expect the government to help.

AND LAST WEEK'S FUEL PROTESTERS did, it should be said, have a case. Truckers and other professional fuel users in France say the cost of their diesel has risen 40 percent in the past year, to about \$2.84 a gallon, compared with an average of \$1.63 a gallon in the United States. And a whopping 69 percent of that pump price is due to sky-high state fuel taxes. So it's hardly surprising that, on September 4, protesters set up truck-and-tractor blockades outside some 120 oil refineries and fuel depots, cutting off France's supply. Farmers sent the Brits ballistic with their annual blocking of the Channel Tunnel. Taxis and driving-school instructors organized mass go-slow processions. Barges and a sprinkling of *bateaux-mouches* (sight-seeing boats) blocked river traffic on the Seine. Ambulances and coach operators mounted roadblocks at major junctions. Within days, some 14,000 of France's 17,000 gas stations ran dry. As the fuel shortage began to bite, Air France canceled flights between many regional airports because its planes could no longer refuel. School meals went undelivered in some areas; the mail, in others. Car-hire firms were reduced to offering vehicles with half a tank of gas or not at all. Fresh-food distribution was disrupted, and companies like Coca-Cola and Perrier said they would soon have to halt domes-

tic production. Great swaths of the country were reduced to near-paralysis.

AND, AS THEIR DAILY LIVES descended into ever-deeper chaos, the French smiled. An opinion poll suggested that 82 percent of the population sympathized with the protesters. According to Stephane Rozès of the polling agency CSA Opinion, which carried out the survey, the extraordinary popularity of the blockade suggested a national propensity to strike, as it were, by proxy. "It's as if people were saying, 'I don't much fancy a future with exorbitant gas prices either,'" Rozès said. "They identified themselves with the professionals who were taking protest action, making a clear connection with them via the exorbitant price of fuel."

AND THE PEOPLE OF FRANCE HAD every reason to believe the strikes would succeed. After all, just last month the government had acquiesced to a generous compensation package for fishermen suffering from the same fuel problem. With the economy booming and tax receipts reaching record levels, most French citizens figured they could count on the state to help the truckers and their allies out of their bind, even if it wasn't, strictly speaking, the state's fault. And, ultimately, the state did just that. Three days into what turned out to be a six-day strike, the Socialist administration of Prime Minister Lionel Jospin offered the truckers a 15 percent cut in state fuel taxes and the farmers a cut of 30 percent. Separate deals with other constituencies brought the total payout to about \$390 million.

THE SURPRISE WAS NOT THAT THE government caved (it always does). It was that this once uniquely French ritual has suddenly become the nation's most robust export. As French truckers and farmers reluctantly dismantled the barricades last week, their counterparts in Belgium, Germany, Finland, the Netherlands, Italy, and Britain began erecting their own. For years, the French have worried that membership in the European Union would dilute their distinctive character—even last week's protests resulted, in part, from the increased competitive pressures brought by the EU's common currency, the euro. But, as demonstrators across the Continent blockaded refineries, the story appeared to be exactly the opposite. For, far from making France more European, the EU seems to be making Europe more French.

JON HENLEY

JON HENLEY is Paris correspondent for *The Guardian*.

School Choice Helps Black Students

by David Howell, Ph.D.
*Former President of the National Education Association
 and author of "The Choice Myth"*

The American Federation of Teachers says no reputable studies show that school choice programs work. The National Education Association agrees, claiming: "There is no evidence that vouchers improve student learning."

History is replete with examples of protectors of the status quo ignoring and maligning any information that would lessen their power and control.

In fact, the undeniable truth is that a consensus has developed among respected researchers that school choice programs help students, particularly black students.

This is critical, because new data show that the academic gap between black and white students has widened in the last decade.

Several research teams have evaluated school choice programs in Cleveland, Milwaukee, Charlotte, Dayton, New York City, and Washington, D.C. Most students in these programs are low-income, mostly of color. Every evaluation finds some positive effects. All support continuation or expansion.

Just in the last month, new reports have emerged from New York, Washington, D.C., Charlotte, and Dayton, where high-quality, random-assignment comparisons took place. Patrick Wolf (Georgetown University), William Howell (University of Wisconsin), and Paul Peterson and David Campbell (both of Harvard) found that black choice students in New York, Washington, D.C., and Dayton scored 6 points higher than students who applied for choice but were randomly not selected and attended public school. Jay Greene, of the Manhattan Institute, studied a similar program in Charlotte. He found that scholarships to attend private school increased student achievement by 6 points.

There have been three evaluations of Milwaukee's program. The Brookings Institution reported on one, by Greene of the Manhattan Institute and Harvard's Peterson and Jiangtao Du. They found that choice students benefited by 6 points in reading and 11 points in math after four years. Princeton's Cecilia Rouse analyzed the Milwaukee data and found that: "students selected for the Milwaukee Parental Choice Program likely scored 1.5 - 2.3 percentile



points per year in math more than students in the comparison groups." A third evaluator, John Witte, used a different method of comparison and found that choice did not raise scores.

**Parental school choice
widespread --
unless you're poor.**

Witte nevertheless has endorsed Milwaukee's program, saying, "choice can...aid families and educators in inner city and poor communities where education has been a struggle for several generations." He noted, "it is

not trivial that most people in America already have such choices."

In Cleveland, Indiana University's Kim Metcalf reported last fall "that scholarship students in existing private schools had significantly higher test scores than public school students in language (45.0 versus 40.0) and science (40.0 versus 36.0)."

While teacher unions might continue to claim that no reputable study of voucher programs shows any gains, the facts speak louder. Someday soon, the AFT and NEA must face the evidence.

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